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LEGISLATIVE HISTORY

Public Law 90-211

H. R. 11565

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INDEX AND SUMMARY OF H. R. 11565

- July 19, 1967 Rep. O'Neal introduced H. R. 11565 which was referred to House Agriculture Committee. Print of bill as introduced.
- July 31, 1967 House committee voted to report H. R. 11565.
- Aug. 7, 1967 House committee reported H. R. 11565 without amendment. H. Rept. 539. Print of bill and report.
- Aug. 21, 1967 House rejected a motion to suspend the rules and pass H. R. 11565.
- Nov. 6, 1967 House passed H. R. 11565 under suspension of rules.
- Nov. 8, 1967 H. R. 11565 was referred to Senate Agriculture and Forestry Committee. Print of bill as referred.
- Nov. 30, 1967 Senate subcommittee approved H. R. 11565 without amendment for full committee consideration.
- Dec. 6, 1967 Senate committee voted to report H. R. 11565 without amendment.
- Dec. 8, 1967 Senate committee reported H. R. 11565 without amendment. S. Rept. 908. Print of bill and report.
- Dec. 11, 1967 Senate passed H. R. 11565 without amendment.
- Dec. 18, 1967 Approved: Public Law 90-211

90TH CONGRESS
1ST SESSION

H. R. 11565

IN THE HOUSE OF REPRESENTATIVES

JULY 19, 1967

Mr. O'NEAL of Georgia introduced the following bill; which was referred to the Committee on Agriculture

A BILL

To amend section 358 of the Agricultural Adjustment Act of 1938, as amended, to authorize the transfer of peanut acreage allotments.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*
3 That the Agricultural Adjustment Act of 1938, as amended,
4 is amended by adding after section 358 the following new
5 section:

6 “SEC. 358a. (a) Notwithstanding any other provision
7 of law for the 1968 and 1969 crop years, the Secretary, if he
8 determines that it will not impair the effective operation of the
9 peanut marketing quota or price-support program, (1) may
10 permit the owner and operator of any farm for which a pea-

1 nut acreage allotment is established under this Act to sell or
2 lease all or any part or the right to all or any part of such
3 allotment to any other owner or operator of a farm in the
4 same county for transfer to such farm; and (2) may permit
5 the owner of a farm to transfer all or any part of such allot-
6 ment to any other farm owned or controlled by him.

7 “(b) Transfers under this section shall be subject to the
8 following conditions: (1) no allotment shall be transferred
9 to a farm in another county; (2) no transfer of an allotment
10 from a farm subject to a mortgage or other lien shall be per-
11 mitted unless the transfer is agreed to by the lienholders;
12 (3) no sale of a farm allotment from a farm shall be per-
13 mitted if any sale of allotment to the same farm has been
14 made within the three immediately preceding crop years;
15 (4) no transfer of allotment shall be effective until a record
16 thereof is filed with the county committee of the county in
17 which such transfer is made and such committee determines
18 that the transfer complies with the provisions of this section;
19 and (5) if the normal yield established by the county com-
20 mittee for the farm to which the allotment is transferred does
21 not exceed the normal yield established by the county com-
22 mittee for the farm from which the allotment is transferred
23 by more than 10 per centum, the lease or sale and transfer
24 shall be approved acre for acre, but if the normal yield for
25 the farm to which the allotment is transferred exceeds the

1 normal yield for the farm from which the allotment is trans-
2 ferred by more than 10 per centum, the county committee
3 shall make a downward adjustment in the amount of the
4 acreage allotment transferred by multiplying the normal
5 yield established for the farm from which the allotment is
6 transferred by the acreage being transferred and dividing
7 the result by the normal yield established for the farm to
8 which the allotment is transferred: *Provided*, That in the
9 event an allotment is transferred to a farm which at the time
10 of such transfer is not irrigated, but within five years subse-
11 quent to such transfer is placed under irrigation, the Secre-
12 tary shall also make an annual downward adjustment in the
13 allotment so transferred by multiplying the normal yield
14 established for the farm from which the allotment is trans-
15 ferred by the acreage being transferred and dividing the
16 result by the actual yield for the previous year, adjusted for
17 abnormal weather conditions, on the farm to which the allot-
18 ment is transferred: *Provided further*, That, notwithstanding
19 any other provision of this Act, the adjustment made in any
20 peanut allotment because of the transfer to a higher pro-
21 ducing farm shall not reduce or increase the size of any
22 future National or State allotment and an acreage equal to
23 the total of all such adjustments shall not be allotted to any
24 other farms.

25 "(c) The transfer of an allotment shall have the effect

1 of transferring also the acreage history and marketing quota
2 attributable to such allotment and if the transfer is made
3 prior to the determination of the allotment for any year the
4 transfer shall include the right of the owner or operator to
5 have an allotment determined for the farm for such year:
6 *Provided*, That in the case of a transfer by lease the amount
7 of the allotment shall be considered, for the purpose of deter-
8 mining allotments after the expiration of the lease, to have
9 been planted on the farm from which such allotment is
10 transferred.

11 “(d) The land in the farm from which the entire peanut
12 allotment has been transferred shall not be eligible for a new
13 farm peanut allotment during the five years following the
14 year in which such transfer is made.

15 “(e) Any lease may be made for such term of years
16 not to exceed five as the parties thereto agree, and on such
17 other terms and conditions except as otherwise provided in
18 this section as the parties thereto agree.

19 “(f) The lease of any part of a peanut acreage allot-
20 ment determined for a farm shall not affect the allotment
21 for the farm from which such allotment is transferred or the
22 farm to which it is transferred, except with respect to the
23 crop year or years specified in the lease. The amount of
24 the acreage allotment which is leased from a farm shall be
25 considered for purposes of determining future allotments

1 to have been planted to peanuts on the farm from which
2 such allotment is leased and the production pursuant to the
3 lease shall not be taken into account in establishing allot-
4 ments for subsequent years for the farm to which such allot-
5 ment is leased. The lessor shall be considered to have been
6 engaged in the production of peanuts for purposes of eligi-
7 bility to vote in the referendum.

8 “(g) The Secretary shall prescribe regulations for the
9 administration of this section which may include reasonable
10 limitation on the size of the resulting allotments on farms to
11 which transfers are made and such other terms and condi-
12 tions as he deems necessary, but the total peanut allotment
13 transferred to any farm by sale or lease shall not exceed fifty
14 acres.

15 “(h) If the sale or transfer occurs during a period in
16 which the farm is covered by a conservation reserve con-
17 tract, cropland conversion agreement, or other similar land
18 utilization agreement the rates of payment provided for in
19 the contract or agreement of the farm from which the trans-
20 fer is made shall be subject to an appropriate adjustment,
21 but no adjustment shall be made in the contract or agree-
22 ment of the farm to which the transfer is made.”

A BILL

To amend section 358 of the Agricultural Adjustment Act of 1938, as amended, to authorize the transfer of peanut acreage allotments.

By Mr. O'NEAL of Georgia

JULY 19, 1967

Referred to the Committee on Agriculture

DIGEST of Congressional Proceedings OF INTEREST TO THE DEPARTMENT OF AGRICULTURE

UNITED STATES DEPARTMENT OF AGRICULTURE
WASHINGTON, D.C. 20250
OFFICIAL BUSINESS

POSTAGE AND FEES PAID
U.S. DEPARTMENT OF AGRICULTURE

OFFICE OF BUDGET AND FINANCE
(FOR INFORMATION ONLY;
NOT TO BE QUOTED OR CITED)

Issued Aug. 1, 1967
For actions of July 31, 1967
90th-1st; No. 118

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HIGHLIGHTS: House subcommittee approved RC&D projects bill for recreation and fish-wildlife purposes. House committee voted to report peanut acreage allotment bill. Sen. Carlson introduced and discussed bill to permit advance payments to certain wheat producers.

HOUSE

1. PERSONNEL. Agreed to the conference report on H. R. 11089, to provide additional group life insurance and accidental death and dismemberment insurance for Federal employees, and to strengthen the financial condition of the Employees' Life Insurance Fund. This bill will now be sent to the President. pp. H9618-19
2. RC&D PROJECTS. The "Daily Digest" states that on July 28 a subcommittee of the Agriculture Committee approved for full committee action a clean bill to be introduced in lieu of H. R. 6169, to authorize cost-sharing on RC&D projects for recreation and fish-wildlife purposes. p. D658

3. PEANUTS. The Agriculture Committee voted to report (but did not actually report) H. R. 11565, to authorize the transfer of peanut acreage allotments. p. D658
4. FIRE RESEARCH. The Science and Astronautics Committee reported with amendment H. R. 11284, to authorize a fire research and safety program, to establish a National Commission on Fire Prevention and Control (H. Rept. 522). p. H9657
5. WATERSHEDS. The Agriculture Committee approved work plans for three watershed projects. p. D658
6. FISCAL RESPONSIBILITY. Rep. Jonas called attention to the 1967 fiscal year deficit and urged reductions in the current year budget requests. p. H9600
7. POVERTY. Rep. Kazen commended the OEO project "aimed at keeping migrant workers at home with the enticement of an education and jobs." p. H9608
8. FOOD COMMISSION. Rep. Langan criticized the Food and Fiber Commission report and stated "we need to accurately...ascertain the manner in which American agriculture can best assume an effective..role in the face of a world food crisis." p. H9626
9. FOREIGN TRADE. Rep. Whalen stated he is convinced that the effect of the Kennedy Round trade negotiations "will be a positive one for the Nation overall" and inserted an article on the subject. pp. H9627-9
10. VOCATIONAL EDUCATION. Rep. Fraser spoke in support of his bill to expand and improve the vocational education system and inserted a brief summary of the bill. pp. H9631-5
11. SOIL EROSION. Received from Transportation a report on "Guidelines for minimizing Possible Soil Erosion From Highway Construction." p. H9657
12. RESEARCH. Received from Interior a report covering grants made during 1966 to nonprofit institutions and organizations for support of scientific research programs. p. H9657
13. MILITARY CONSTRUCTION. H. R. 11722, the military construction authorization bill, 1968 as reported (July 26), includes authorization of appropriations for payment on the debt to CCC for foreign currencies used in prior years by the Department of Defense for foreign military family housing.

SENATE

14. FARM PAYMENTS. Sens. Holland and Hruska commended the printing of the lists of persons receiving farm payments of over \$5,000, and announced the availability of these lists in the Agricultural appropriation hearings. pp. S10455-7
15. PERSONNEL. Sen. Williams, Del., inserted a report showing an increase of 74,557 civilian employees in the Federal Government in June. pp. S10460-1

DIGEST of Congressional Proceedings

OF INTEREST TO THE DEPARTMENT OF AGRICULTURE

UNITED STATES DEPARTMENT OF AGRICULTURE
WASHINGTON, D.C.
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OFFICE OF BUDGET AND FINANCE
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Issued August 8, 1967
For actions of August 7, 1967
90th-1st; No. 123

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HIGHLIGHTS: House committee reported peanut acreage allotment bill. House agreed to World Farm Center resolution. House subcommittee approved bill to permit advance payments to wheat producers.

SENATE

1. MEAT INSPECTION. Sen. Brewster added his name as a cosponsor and spoke in favor of S. 2147, the proposed Wholesome Meat Act of 1967, and inserted an editorial supporting his position. p. S11000
2. FORESTRY. Sen. Morse inserted a letter from the Forest Service which concerns "the status of comparative studies of allowable cutting rates and management planning methods used by the Forest Service, Bureau of Land Management, and Bureau of Indian Affairs." pp. S11055-6

3. RECLAMATION. Passed with amendment S. 1004, authorizing construction and operation of the Central Arizona project. pp. S11018-50, S11056-69
4. AIR POLLUTION. Sen. Boggs inserted an article, "Crisis in the Air from Cleveland to Los Angeles." pp. S10980-1
5. POVERTY. Sen. Nelson inserted an article describing the work of an OEO project, "Upward Bounders Study Conservation." pp. S10987-8
6. SMALL BUSINESS. Sen. Jackson commended the loan program of the Small Business Administration and cited an example of "how businessmen in the State of Washington are using sound business practices and innovative genius to promote both agriculture and industry in building a strong economy for our State." pp. S10988-9
7. BUDGET. Sen. Proxmire inserted an article which criticizes the estimates in the budget deficit, "Treasury Missed Tax Yield Guess--Fiscal Mystery is Blamed for Enlarging of Deficit in Federal Budget." pp. S10989-90
8. RESEARCH. Sen. Yarborough inserted a Tex. farm association resolution urging more State and Federal funds for agricultural research in Tex. p. S10992
9. HOUSING. Sen. Percy inserted an article, "Housing and Urban Development, 1967," and stated that the article is "an excellent short summary of the present status and prospects for Federal housing and urban development programs." pp. S11004-8
10. MINK IMPORTS. Sen. Bennett spoke in favor of his bill S. 1897, to limit duty-free imports of mink, and inserted a letter supporting this measure. pp. S11051-2
11. WILD RIVERS. Began consideration of S. 119, to reserve certain public lands for a national wild rivers system. pp. S11069-72
12. FEDERAL SPENDING. Sen. Miller inserted an article, "Taxes and Problem of Financing A War," and stated this article, "well points out the deep need for drastic reduction in nondefense spending and the establishment of priorities for our Federal Government's spending budget." pp. S11076-7
13. GEOTHERMAL STEAM. A subcommittee of the Interior and Insular Affairs Committee approved for full committee consideration with amendment S. 23, authorizing issuance of leases for development of geothermal steam on the public lands. p. D689
14. WHEAT ACREAGE. Sen. Jackson was added as a cosponsor to S. 1722, to amend the wheat acreage allotment provisions of the Agricultural Adjustment Act of 1938. p. S10977

HOUSE

15. PEANUTS. The Agriculture Committee reported H. R. 11565^{without and} to amend section 358 of the Agricultural Adjustment Act of 1938, as amended, to authorize the transfer of peanut acreage allotments (H. Rept. 539). p. H10048

TRANSFER OF PEANUT ACREAGE ALLOTMENTS

AUGUST 7, 1967.—Committed to the Committee of the Whole House on the State of the Union and ordered to be printed

Mr. POAGE, from the Committee on Agriculture, submitted the following

R E P O R T

[To accompany H.R. 11565]

The Committee on Agriculture, to whom was referred the bill (H.R. 11565) to amend section 358 of the Agricultural Adjustment Act of 1938, as amended, to authorize the transfer of peanut acreage allotments, having considered the same, report favorably thereon without amendment and recommend that the bill do pass.

PURPOSE

The purpose of H.R. 11565 is to authorize during the 1968 and 1969 crop years the intracounty lease, sale, and transfer of acreage allotment for peanuts among farms.

NEED FOR THE LEGISLATION

This legislation is needed for two primary reasons.

First, there are many peanut acreage allotments too small to constitute an economic unit in view of rising costs of producing and harvesting peanuts. The Department of Agriculture reports that in 1964 (the last year for which complete calculations are available) more than one-fourth of all peanut allotments were 5 acres or less and more than one-half were 10 acres or less. This year the average size of established allotments is approximately 17.9 acres.

The fact that allotments were abandoned during World War II, in order to increase production, encouraged many new producers to enter into production of peanuts. When allotments were reestablished in 1949 the many newly established small and uneconomical allotments served to reduce the size of the allotments awarded the established producers.

Second, much greater mechanization in the production of peanuts involves the use of very expensive equipment, herbicides, and improved methods of cultivation. This simply means that the cost per acre of producing peanuts is going up. Therefore, in many cases, farmers need to increase their peanut acreage allotment in order to realize a reasonable return on their tremendous investment.

GENERAL STATEMENT

Peanut acreage allotments were first established in 1941 by authority of the Agricultural Adjustment Act of 1938, as amended. The size of the allotments was based on a producer's production during the previous 3-year history of production on the farm.

These allotments remained in effect only until 1942 when they were abandoned in order to permit the increase in production demanded by our war effort. Production virtually doubled during this period. The reestablishment of peanut acreage allotments in 1949 brought in many producers who had only begun growing peanuts during the time when allotments had not been in effect. The entrance into the program of these producers created many small and inefficient allotments.

If the Secretary of Agriculture determines that it will not impair the effective operation of the peanut marketing quota or price-support program, H.R. 11565 would permit (for the 1968 and 1969 crop years) the owner or operator of a farm which has a peanut acreage allotment to sell or lease all or any portion of his allotment to any other owner or operator of a farm in the same county. It would also permit the owner of a farm with a peanut acreage allotment to transfer all or any part of the allotment to any other farm owned or controlled by him in the same county.

The committee felt that the authority to lease, sell, or transfer peanut acreage allotments should be accompanied by language in the legislation which would guard against any speculation or overproduction which might otherwise result from this new authority. Therefore, the committee approved H.R. 11565 which contains the following conditions:

(1) Under no condition may allotments be transferred across county lines.

(2) No allotment may be transferred from a farm subject to a mortgage or lien unless the transfer is agreed to by the lienholders.

(3) No sale of a farm allotment from a farm shall be permitted if any sale of allotment to the same farm has been made within the three immediately preceding crop years.

(4) No transfer of allotment shall be effective until a record thereof is filed with the county committee of the county in which the transfer is made and until the county committee determines that the transfer complies with the provisions of the law.

(5) If there is not more than a 10-percent difference in production per acre, transfers shall be on the basis of acre for acre; however, in cases where the transferred acreage goes to a farm where the production per acre exceeds that of the transferred acreage by more than 10 percent, there shall be a corresponding downward adjustment in the amount of acreage transferred to assure that no overproduction would result from the transfer.

(6) Where an allotment is transferred to a farm which at the present time is not irrigated but which within 5 years places the

transferred allotment under irrigation, the Secretary of Agriculture shall then make a downward adjustment in the amount of acreage transferred to assure that there would be no increased production as a result of irrigating the transferred acreage.

(7) The land on the farm from which the entire peanut allotment has been transferred shall not be eligible for a new farm peanut allotment during the 5 years following the year in which such transfer is made.

(8) Leases of any portion of a peanut allotment shall not exceed 5 years.

(9) The total peanut allotment transferred to any farm by sale or lease shall not exceed 50 acres or any lesser amount prescribed by the Secretary.

The committee feels that enactment of this bill will enable many producers to acquire ample peanut acreage to grow peanuts on a more sound economic basis. It will also enable some producers to go out of peanut production in a manner in which both they and other producers who acquire the allotment will benefit.

In essence, this legislation will put peanut production in the hands of those who want to grow peanuts while at the same time it guards against any major geographical switch in peanut production which would undoubtedly be injurious to the economy of many countries.

The committee emphasizes that this legislation is not intended in any way to modify its policy with regard to the transfer of allotments of any other commodity. Lease, sale, and transfer provisions now apply to cotton and certain types of tobacco. These provisions have been designed to apply as closely as possible to the particular needs of these commodities. Likewise, this bill is designed to promote the widest possible benefit for peanut producers.

The committee also points out that allotment transfer authority has been and should be restricted to those crops subject to mandatory marketing quota provisions.

TABLE 1.—U.S. SUMMARY 1967 "OLD" PEANUT ALLOTMENT FARMS

State	Total		1967 State reserve (acres)	1967 State allotment (acres)	Average "old" farm 1967 allotment (acres)
	Number of "old" farms	Acres allotted			
Alabama.....	14,611	217,241.8	260.2	217,502	14.9
Arizona.....	18	710.2	3.8	714	39.5
Arkansas.....	65	560.8	1,3,637.2	4,198	8.6
California.....	29	864.0	1,70.0	934	29.8
Florida.....	4,802	55,153.6	139.4	55,293	11.5
Georgia.....	26,300	527,816.9	211.1	528,028	20.1
Louisiana.....	25	251.2	1,701.3	1,953	10.0
Mississippi.....	49	424.9	1,7,095.1	7,520	8.7
Missouri.....	0	0	1,247.0	247	0
New Mexico.....	417	5,553.2	12.8	5,566	13.3
North Carolina.....	15,233	168,237.0	1,184.0	168,421	11.0
Oklahoma.....	7,621	138,360.3	68.7	138,429	18.2
South Carolina.....	882	13,852.4	1,16.6	13,869	15.7
Tennessee.....	94	3,561.8	40.2	3,602	37.9
Texas.....	12,429	356,696.1	218.9	356,915	28.7
Virginia.....	6,643	105,103.2	1,95.8	105,199	15.8
Total.....	89,218	1,594,387.4	14,002.6	2,1,608,390	3 17.

¹ Includes acreage approved for use to establish new farm allotments in addition to the 1,610 acres reserve for new farms as follows: Arkansas, 117 acres; California, 60 acres; Mississippi, 11.6 acres; Missouri, 60 acres; North Carolina, 10 acres; South Carolina, 12 acres; Virginia, 15 acres.

² New farm reserve of 1,610 acres accounts for the balance of the national allotment; the 1,610 acres were allocated as follows: Alabama, 23.5 acres; California, 57.4 acres; Florida, 93.2 acres; Georgia, 807 acres; New Mexico, 57 acres; North Carolina, 20 acres; Oklahoma, 145.8 acres; South Carolina, 2 acres; Tennessee, 19.3 acres; Texas, 384.8 acres.

³ U.S. average old farm allotment; this average, as well as the average for each State, could be affected depending on how much of State reserve is used to adjust old farm allotments.

TABLE 2.—*Peanuts: U.S. acreage harvested by years, 1930–66
(acreage picked and threshed)*

Crop year:	Thousands of acres	Crop year—Continued	Thousands of acres
1930	1,073	1949	2,308
1931	1,440	1950	2,262
1932	1,501	1951	1,982
1933	1,217	1952	1,443
1934	1,514	1953	1,515
1935	1,497	1954	1,387
1936	1,660	1955	1,669
1937	1,538	1956	1,385
1938	1,692	1957	1,481
1939	1,908	1958	1,516
1940	2,053	1959	1,435
1941	1,900	1960	1,395
1942	3,355	1961	1,398
1943	3,528	1962	1,400
1944	3,068	1963	1,396
1945	3,160	1964	1,397
1946	3,141	1965	1,435
1947	3,377	1966	1,421
1948	3,296		

HEARINGS

Hearings were held on H.R. 6383 (which was superseded by H.R. 11565) and related bills on June 22, 1967, before the Subcommittee on Oilseeds and Rice.

COST

In its testimony on H.R. 6383 (superseded by H.R. 11565), the Department of Agriculture testified that adoption of H.R. 6383 would not result in any additional cost to the Federal Government.

DEPARTMENTAL POSITION

Following is the Department of Agriculture's report on H.R. 6383. The report recommends enactment of H.R. 6383 which is superseded by H.R. 11565.

DEPARTMENT OF AGRICULTURE,
Washington, D.C., April 27, 1967.

Hon. W. R. POAGE,
*Chairman, Committee on Agriculture,
House of Representatives,
Washington, D.C.*

DEAR MR. CHAIRMAN: This is in reply to your request of March 7, 1967, for a report on H.R. 6383, a bill to amend the Agricultural Adjustment Act of 1938, as amended, to authorize the transfer of peanut acreage allotments.

This Department recommends that the bill be passed.

This bill would authorize the Secretary to permit the transfer by sale, lease, or by owner of peanut acreage allotments provided he determines the effective operation of the program would not be impaired.

No transfer of allotment would be permitted (a) outside the State; (b) from a farm subject to a mortgage or other lien unless agreed to by the lienholder; (c) from a farm to which a peanut allotment was transferred during the 3 immediately preceding years; or (d) until

a record of the transfer had been filed with the county committee of the county to which transferred and such committee determined that it complied with provisions of law.

The Secretary would be required to prescribe regulations to implement the legislation including provisions for limiting the size of the resulting allotment on the receiving farm. It is assumed this authority would permit the Secretary to provide for adjustment of acreage transferred when the productivity of the receiving farm is substantially higher than that of the farm from which the allotment is transferred.

This bill does not provide any restriction on transfers across county lines within the same State. Statutory authority for transfer of cotton acreage allotments permits transfers across county lines only after approval by producers voting in a referendum.

Transferring peanut allotments will permit the establishment of more economic-sized units of production which will in turn result in more efficient production on individual farms and for the industry as a whole. Small but capable and efficient farmers could increase their acreage of peanuts without incurring the heavy costs involved in buying additional and often unneeded land. In addition those who wish to discontinue growing peanuts, could transfer their resources to other crops, or retire from peanut production entirely and still receive remuneration.

The Department has, on a number of occasions, recommended legislation to authorize the transfer by lease or sale of acreage allotments, base acreages, and quotas for all commodities. Our most recent recommendation of April 17, 1967, is presently pending before your committee. This authority has been provided only for cotton, leases of certain kinds of tobacco, and transfers of producer rice allotments. Although we still favor authority to lease and sell all commodity allotments, base acreages, and quotas, we have no objection to such authority being considered on a commodity-by-commodity basis.

Enactment of H.R. 6383 would not require additional funds and would vastly improve program operations at all levels of administration and for peanut farmers.

The Bureau of the Budget advises that there is no objection to the presentation of this report from the standpoint of the administration's program.

Sincerely yours,

JOHN A. SCHNITTNER,
Under Secretary.

CHANGES IN EXISTING LAW

In compliance with clause 3 of rule XIII of the Rules of the House of Representatives, changes in existing law made by the bill are shown as follows (existing law proposed to be omitted is enclosed in black brackets, new matter is printed in italic, and existing law in which no change is proposed is shown in roman):

AGRICULTURAL ADJUSTMENT ACT OF 1938

* * * * *

PART VI—MARKETING QUOTAS—PEANUTS

MARKETING QUOTAS

SEC. 358. (a) Between July 1 and December 1 of each calendar year the Secretary shall proclaim the amount of the national marketing quota for peanuts for the crop produced in the next succeeding calendar year in terms of the total quantity of peanuts which will make available for marketing a supply of peanuts from the crop with respect to which the quota is proclaimed equal to the average quantity of peanuts harvested for nuts during the five years immediately preceding the year in which such quota is proclaimed, adjusted for current trends and prospective demand conditions, and the quota so proclaimed shall be in effect with respect to such crop. The national marketing quota for peanuts for any year shall be converted to a national acreage allotment by dividing such quota by the normal yield per acre of peanuts for the United States determined by the Secretary on the basis of the average yield per acre of peanuts in the five years preceding the year in which the quota is proclaimed, with such adjustments as may be found necessary to correct for trends in yields and for abnormal conditions of production affecting yields in such five years * * *.

(b) Not later than December 15 of each calendar year the Secretary shall conduct a referendum of farmers engaged in the production of peanuts in the calendar year in which the referendum is held to determine whether such farmers are in favor of or opposed to marketing quotas with respect to the crops of peanuts produced in the three calendar years immediately following the year in which the referendum is held, except that, if as many as two-thirds of the farmers voting in any referendum vote in favor of marketing quotas, no referendum shall be held with respect to quotas for the second and third years of the period. The Secretary shall proclaim the results of the referendum within thirty days after the date on which it is held, and, if more than one-third of the farmers voting in the referendum vote against marketing quotas, the Secretary also shall proclaim that marketing quotas will not be in effect with respect to the crop of peanuts produced in the calendar year immediately following the calendar year in which the referendum is held.

(c) (1) The national acreage allotment for 1951, less the acreage to be allotted to new farms under subsection (f) of this section, shall be apportioned among the States on the basis of the larger of the following for each State: (a) The acreage allotted to the State as its share of the 1950 national acreage allotment of two million one hundred thousand acres, or (b) the State's share of two million one hundred thousand acres apportioned to States on the basis of the average acreage harvested for nuts in each State in the five years 1945-49: *Provided*, That any allotment so determined for any State which is less than the 1951 State allotment announced by the Secretary prior to the enactment of this Act shall be increased to such announced allotment and the acreage required for such increases shall be in addition to the 1951 national acreage allotment and shall be considered in determining State acreage allotments in future years. For any year subsequent to

1951, the national acreage allotment for that year, less the acreage to be allotted to new farms under subsection (f) of this section, shall be apportioned among the States on the basis of their share of the national acreage allotment for the most recent year in which such apportionment was made.

(2) Notwithstanding any other provision of law, if the Secretary of Agriculture determines, on the basis of the average yield per acre of peanuts by types during the preceding five years, adjusted for trends in yields and abnormal conditions of production affecting yields in such five years, that the supply of any type or types of peanuts for any marketing year, beginning with the 1951-52 marketing year, will be insufficient to meet the estimated demand for cleaning and shelling purposes at prices at which the Commodity Credit Corporation may sell for such purposes peanuts owned or controlled by it, the State allotments for those States producing such type or types of peanuts shall be increased to the extent determined by the Secretary to be required to meet such demand but the allotment for any State may not be increased under this provision above the 1947 harvested acreage of peanuts for such State. The total increase so determined shall be apportioned among such States for distribution among farms producing peanuts of such type or types on the basis of the average acreage of peanuts of such type or types in the three years immediately preceding the year for which the allotments are being determined. The additional acreage so required shall be in addition to the national acreage allotment, the production from such acreage shall be in addition to the national marketing quota, and the increase in acreage allotted under this provision shall not be considered in establishing future State, county, or farm acreage allotments.

(d) The Secretary shall provide for apportionment of the State acreage allotment for any State through local committees among farms on which peanuts were grown in any of the three years immediately preceding the year for which such allotment is determined. The State acreage allotment for 1952 and any subsequent year shall be apportioned among farms on which peanuts were produced in any one of the 3 calendar years immediately preceding the year for which such apportionment is made, on the basis of the following: Past acreage of peanuts, taking into consideration the acreage allotments previously established for the farm; abnormal conditions affecting acreage; land, labor, and equipment available for the production of peanuts; crop-rotation practices; and soil and other physical factors affecting the production of peanuts. Any acreage of peanuts harvested in excess of the allocated acreage for any farm for any year shall not be considered in the establishment of the allotment for the farm in succeeding years. The amount of the marketing quota for each farm shall be the actual production of the farm-acreage allotment, and no peanuts shall be marketed under the quota for any farm other than peanuts actually produced on the farm.

(e) Notwithstanding the foregoing provisions of this section, the Secretary may, if the State committee recommends such action and the Secretary determines that such action will facilitate the effective administration of the provisions of the Act, provide for the apportionment of the State acreage allotment for 1952 and any subsequent year among the counties in the State on the basis of the past acreage of peanuts harvested for nuts (excluding acreage in excess of farm allotments) in the county during the five years immediately preceding the

year in which such apportionment is made, with such adjustments as are deemed necessary for abnormal conditions affecting acreage, for trends in acreage, and for addition allotments for types of peanuts in short supply under the provisions of subsection (c). The county acreage allotment shall be apportioned among farms on the basis of the factors set forth in subsection (d) of this section.

(f) Not more than one per centum of the national acreage allotment shall be apportioned among farms on which peanuts are to be produced during the calendar year for which the allotment is made but on which peanuts were not produced during any one of the past three years, on the basis of the following: Past peanut-producing experience by the producers; land, labor, and equipment available for the production of peanuts; crop-rotation practices; and soil and other physical factors affecting the production of peanuts.

(g) Any part of the acreage allotted to individual farms under the provisions of this section on which peanuts will not be produced and which is voluntarily surrendered to the county committee shall be deducted from the allotments to such farms and may be reapportioned by the county committee to other farms in the same county receiving allotments, in amounts determined by the county committee to be fair and reasonable on the basis of land, labor, and equipment available for the production of peanuts, crop-rotation practices, and soil and other physical factors affecting the production of peanuts. Any transfer of allotments under this provision shall not operate to reduce the allotment for any subsequent year for the farm from which acreage is transferred, except as the farm becomes ineligible for an allotment by failure to produce peanuts during a three-year period, and any such transfer shall not operate to increase the allotment for any subsequent year for the farm to which the acreage is transferred: *Provided*, That, notwithstanding any other provisions of this Act, any part of any farm acreage allotment may be permanently released in writing to the county committee by the owner and operator of the farm, and reapportioned as provided herein.

(h) * * *. Repealed by Public Law 85-835.

(i) The production of peanuts on a farm in 1959 or any subsequent year for which no farm acreage allotment was established shall not make the farm eligible for an allotment as an old farm under subsection (d) of this section: *Provided, however*, That by reason of such production the farm need not be considered as ineligible for a new farm allotment under subsection (f) of this section, but such production shall not be deemed past experience in the production of peanuts for any producer on the farm.

SEC. 358a. (a) *Notwithstanding any other provision of law for the 1968 and 1969 crop years, the Secretary, if he determines that it will not impair the effective operation of the peanut marketing quota or price-support program, (1) may permit the owner and operator of any farm for which a peanut acreage allotment is established under this Act to sell or lease all or any part or the right to all or any part of such allotment to any other owner or operator of a farm in the same county for transfer to such farm; and (2) may permit the owner of a farm to transfer all or any part of such allotment to any other farm owned or controlled by him.*

(b) *Transfers under this section shall be subject to the following conditions: (1) no allotment shall be transferred to a farm in another county; (2) no transfer of an allotment from a farm subject to a mortgage or other lien shall be permitted unless the transfer is agreed to by the lienholders;*

(3) no sale of a farm allotment from a farm shall be permitted if any sale of allotment to the same farm has been made within the three immediately preceding crop years; (4) no transfer of allotment shall be effective until a record thereof is filed with the county committee of the county in which such transfer is made and such committee determines that the transfer complies with the provisions of this section ; and (5) if the normal yield established by the county committee for the farm to which the allotment is transferred does not exceed the normal yeild established by the county committee for the farm from which the allotment is transferred by more than 10 per centum, the lease or sale and transfer shall be approved acre for acre, but if the normal yield for the farm to which the allotment is transferred exceeds the normal yield for the farm from which the allotment is transferred by more than 10 per centum, the county committee shall make a downward adjustment in the amount of the acreage allotment transferred by multiplying the normal yield established for the farm from which the allotment is transferred by the acreage being transferred and dividing the result by the normal yield established for the farm to which the allotment is transferred: Provided, That in the event an allotment is transferred to a farm which at the time of such transfer is not irrigated, but within five years subsequent to such transfer is placed under irrigation, the Secretary shall also make an annual downward adjustment in the allotment so transferred by multiplying the normal yield established for the farm from which the allotment is transferred by the acreage being transferred and dividing the result by the actual yield for the previous year, adjusted for abnormal weather conditions, on the farm to which the allotment is transferred: Provided further, That, notwithstanding any other provision of this Act, the adjustment made in any peanut allotment because of the transfer to a higher producing farm shall not reduce or increase the size of any future National or State allotment and an acreage equal to the total of all such adjustments shall not be allotted to any other farms.

(c) The transfer of an allotment shall have the effect of transferring also the acreage history and marketing quota attributable to such allotment and if the transfer is made prior to the determination of the allotment for any year the transfer shall include the right of the owner or operator to have an allotment determined for the farm for such year: Provided, That in the case of a transfer by lease the amount of the allotment shall be considered, for the purpose of determining allotments after the expiration of the lease, to have been planted on the farm from which such allotment is transferred.

(d) The land in the farm from which the entire peanut allotment has been transferred shall not be eligible for a new farm peanut allotment during the five years following the year in which such transfer is made.

(e) Any lease may be made for such term of years not to exceed five as the parties thereto agree, and on such other terms and conditions except as otherwise provided in this section as the parties thereto agree.

(f) The lease of any part of a peanut acreage allotment determined for a farm shall not affect the allotment for the farm from which such allotment is transferred or the farm to which it is transferred, except with respect to the crop year or years specified in the lease. The amount of the acreage allotment which is leased from a farm shall be considered for purposes of determining future allotments to have been planted to peanuts on the farm from which such allotment is leased and the production pursuant to the lease shall not be taken into account in establishing allotments for subsequent years for the farm to which such allotment is leased. The lessor

shall be considered to have been engaged in the production of peanuts for purposes of eligibility to vote in the referendum.

(g) The Secretary shall prescribe regulations for the administration of this section which may include reasonable limitation on the size of the resulting allotments on farms to which transfers are made and such other terms and conditions as he deems necessary, but the total peanut allotment transferred to any farm by sale or lease shall not exceed fifty acres.

(h) If the sale or transfer occurs during a period in which the farm is covered by a conservation reserve contract, cropland conversion agreement, or other similar land utilization agreement the rates of payment provided for in the contract or agreement of the farm from which the transfer is made shall be subject to an appropriate adjustment, but no adjustment shall be made in the contract or agreement of the farm to which the transfer is made.



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90TH CONGRESS
1ST SESSION

Union Calendar No. 203

H. R. 11565

[Report No. 539]

IN THE HOUSE OF REPRESENTATIVES

JULY 19, 1967

Mr. O'NEAL of Georgia introduced the following bill; which was referred to the Committee on Agriculture

AUGUST 7, 1967

Committed to the Committee of the Whole House on the State of the Union
and ordered to be printed

A BILL

To amend section 358 of the Agricultural Adjustment Act of 1938, as amended, to authorize the transfer of peanut acreage allotments.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*
3 That the Agricultural Adjustment Act of 1938, as amended,
4 is amended by adding after section 358 the following new
5 section:

6 “SEC. 358a. (a) Notwithstanding any other provision
7 of law for the 1968 and 1969 crop years, the Secretary, if he
8 determines that it will not impair the effective operation of the
9 peanut marketing quota or price-support program, (1) may
10 permit the owner and operator of any farm for which a pea-

1 nut acreage allotment is established under this Act to sell or
2 lease all or any part or the right to all or any part of such
3 allotment to any other owner or operator of a farm in the
4 same county for transfer to such farm; and (2) may permit
5 the owner of a farm to transfer all or any part of such allot-
6 ment to any other farm owned or controlled by him.

7 “(b) Transfers under this section shall be subject to the
8 following conditions: (1) no allotment shall be transferred
9 to a farm in another county; (2) no transfer of an allotment
10 from a farm subject to a mortgage or other lien shall be per-
11 mitted unless the transfer is agreed to by the lienholders;
12 (3) no sale of a farm allotment from a farm shall be per-
13 mitted if any sale of allotment to the same farm has been
14 made within the three immediately preceding crop years;
15 (4) no transfer of allotment shall be effective until a record
16 thereof is filed with the county committee of the county in
17 which such transfer is made and such committee determines
18 that the transfer complies with the provisions of this section;
19 and (5) if the normal yield established by the county com-
20 mittee for the farm to which the allotment is transferred does
21 not exceed the normal yield established by the county com-
22 mittee for the farm from which the allotment is transferred
23 by more than 10 per centum, the lease or sale and transfer
24 shall be approved acre for acre, but if the normal yield for
25 the farm to which the allotment is transferred exceeds the

1 normal yield for the farm from which the allotment is trans-
2 fered by more than 10 per centum, the county committee
3 shall make a downward adjustment in the amount of the
4 acreage allotment transferred by multiplying the normal
5 yield established for the farm from which the allotment is
6 transferred by the acreage being transferred and dividing
7 the result by the normal yield established for the farm to
8 which the allotment is transferred: *Provided*, That in the
9 event an allotment is transferred to a farm which at the time
10 of such transfer is not irrigated, but within five years subse-
11 quent to such transfer is placed under irrigation, the Secre-
12 tary shall also make an annual downward adjustment in the
13 allotment so transferred by multiplying the normal yield
14 established for the farm from which the allotment is trans-
15 fered by the acreage being transferred and dividing the
16 result by the actual yield for the previous year, adjusted for
17 abnormal weather conditions, on the farm to which the allot-
18 ment is transferred: *Provided further*, That, notwithstanding
19 any other provision of this Act, the adjustment made in any
20 peanut allotment because of the transfer to a higher pro-
21 ducing farm shall not reduce or increase the size of any
22 future National or State allotment and an acreage equal to
23 the total of all such adjustments shall not be allotted to any
24 other farms.

25 “(c) The transfer of an allotment shall have the effect

1 of transferring also the acreage history and marketing quota
2 attributable to such allotment and if the transfer is made
3 prior to the determination of the allotment for any year the
4 transfer shall include the right of the owner or operator to
5 have an allotment determined for the farm for such year:
6 *Provided*, That in the case of a transfer by lease the amount
7 of the allotment shall be considered, for the purpose of deter-
8 mining allotments after the expiration of the lease, to have
9 been planted on the farm from which such allotment is
10 transferred.

11 “(d) The land in the farm from which the entire peanut
12 allotment has been transferred shall not be eligible for a new
13 farm peanut allotment during the five years following the
14 year in which such transfer is made.

15 “(e) Any lease may be made for such term of years
16 not to exceed five as the parties thereto agree, and on such
17 other terms and conditions except as otherwise provided in
18 this section as the parties thereto agree.

19 “(f) The lease of any part of a peanut acreage allot-
20 ment determined for a farm shall not affect the allotment
21 for the farm from which such allotment is transferred or the
22 farm to which it is transferred, except with respect to the
23 crop year or years specified in the lease. The amount of
24 the acreage allotment which is leased from a farm shall be
25 considered for purposes of determining future allotments

1 to have been planted to peanuts on the farm from which
2 such allotment is leased and the production pursuant to the
3 lease shall not be taken into account in establishing allot-
4 ments for subsequent years for the farm to which such allot-
5 ment is leased. The lessor shall be considered to have been
6 engaged in the production of peanuts for purposes of eligi-
7 bility to vote in the referendum.

8 “(g) The Secretary shall prescribe regulations for the
9 administration of this section which may include reasonable
10 limitation on the size of the resulting allotments on farms to
11 which transfers are made and such other terms and condi-
12 tions as he deems necessary, but the total peanut allotment
13 transferred to any farm by sale or lease shall not exceed fifty
14 acres.

15 “(h) If the sale or transfer occurs during a period in
16 which the farm is covered by a conservation reserve con-
17 tract, cropland conversion agreement, or other similar land
18 utilization agreement the rates of payment provided for in
19 the contract or agreement of the farm from which the trans-
20 fer is made shall be subject to an appropriate adjustment,
21 but no adjustment shall be made in the contract or agree-
22 ment of the farm to which the transfer is made.”

90TH CONGRESS
1ST SESSION

H. R. 11565

[Report No. 539]

A BILL

To amend section 358 of the Agricultural Adjustment Act of 1938, as amended, to authorize the transfer of peanut acreage allotments.

By Mr. O'NEAL of Georgia

JULY 19, 1967

Referred to the Committee on Agriculture

AUGUST 7, 1967

Committed to the Committee of the Whole House on the State of the Union and ordered to be printed

~~DIGEST of Congressional Proceedings~~

OF INTEREST TO THE DEPARTMENT OF AGRICULTURE

UNITED STATES DEPARTMENT OF AGRICULTURE
WASHINGTON, D.C.
OFFICIAL BUSINESS

20250

POSTAGE AND FEES PAID
U.S. DEPARTMENT OF AGRICULTURE

OFFICE OF BUDGET AND FINANCE
FOR INFORMATION ONLY;
NOT TO BE QUOTED OR CITED)

Issued Aug. 22, 1967
For actions of Aug. 21, 1967
90th-1st; No. 133

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HIGHLIGHTS: House rejected peanut-allotments transfer bill. House debated foreign aid bill.

HOUSE

1. PEANUT ALLOTMENTS. Rejected a motion to suspend the rules and pass H. R. 11565, to authorize the sale, lease, or transfer of peanut acreage allotments among farms within the same county. Although the vote was 208 for and 146 against, the necessary two-thirds majority was not attained. pp. H10834-9
2. FOREIGN AID. Began debate on H. R. 12048, the foreign aid bill. pp. H10846-58

3. PUBLIC LANDS. Passed under suspension of the rules H. R. 12121, to continue the Public Land Law Review Commission until June 30, 1969, and to increase the appropriation authorization. pp. 10843-6
4. VOCATIONAL REHABILITATION. Passed, 340-0, under suspension of the rules H. R. 12257, to amend the Vocational Rehabilitation Act to extend and expand the authorization of grants to States for rehabilitation services and to provide assistance for migrants. pp. H10819-29, H10895
5. PERSONNEL. Conferees were appointed on S. 1320, to provide for career status for certain temporary employees. Senate conferees have been appointed. pp. H10829-30
6. APPROPRIATIONS. Chairman Mahon of the Appropriations Committee inserted a tabulation showing the status of the appropriation bills. p. H10887
Agreed to make it in order, on Aug. 24 or any subsequent day, to consider a continuing appropriations resolution for Sept. p. H10815
The Appropriations Committee reported H. R. 12474, the NASA appropriation bill (H. Rept. 569). p. H10906
7. RESEARCH. Passed without amendment H. R. 472, to authorize purchase of land from Texas Southmost College for research purposes. p. H10816
8. ALASKA FLOOD. Rep. Pollock reported on the recent flood in Alaska and asked for Small Business Administration loans. p. 10851
9. FARM LOANS. Rep. Patman said "high interest rates" harm farmers. pp. H10853-4
10. CROP ESTIMATES. Rep. Nelson inserted and commended a letter criticizing this Department's crop estimates. p. H10863
11. WATER POLLUTION. Rep. Cederberg recommended a strengthened program of water pollution control. pp. H10864-6
12. MINK FARMERS. Rep. Schadeberg inserted Gov. Knowles' proclamation of Wisconsin Mink Farmers' Week. pp. H10868-9
13. RURAL MAIL. Rep. Langen commended improvement of the rural mail service. p. H10869
14. COMMODITY CREDIT CORPORATION. Rep. McDade criticized "budget gimmickery" on CCC appropriation estimates. p. H10872
15. AGING. Rep. Pepper inserted his testimony favoring H. R. 12405, his comprehensive bill to provide additional opportunities for the aging. pp. H10896-901
16. MINERALS. The Interior and Insular Affairs Committee reported with amendment H. R. 9085, to authorize the Interior Department to sell reserved phosphate interests in U. S. lands located in Fla. to the record owners of the surface thereof (H. Rept. 573). p. H10906
17. EDUCATION. The Interstate and Foreign Commerce Committee reported with amendment H. R. 6736, to amend the Communications Act of 1934 by extending and improving the provisions relating to grants for construction of educational television facilities (H. Rept. 572). p. H10906

August 21, 1967

CONGRESSIONAL RECORD — HOUSE

H 10833

practice at the American Academy in Rome.

Mr. GROSS. Mr. Speaker, will the gentleman yield?

Mr. FULTON of Pennsylvania. I shall be glad to yield to the gentleman from Iowa.

(Mr. GROSS asked and was given permission to revise and extend his remarks.)

Mr. GROSS. I should like to ask someone in connection with this bill, since we hear that there is no Federal money involved, if the donors to this academy in Italy pay taxes on the money that they donate?

Mr. JONES of Missouri. Mr. Speaker, will the gentleman yield?

Mr. FULTON of Pennsylvania. I yield to the gentleman from Missouri.

Mr. JONES of Missouri. I could not answer the gentleman's question. I would imagine that the people from the United States who would make contributions would pay such taxes. But insofar as foreigners who contribute are concerned, I do not know.

Mr. FULTON of Pennsylvania. I can answer that part of the question. As the gentleman knows, the American Academy is a U.S. corporation. It is not a foreign corporation. It is subject to the same laws as any other chartered institution in the United States.

Mr. GROSS. What is that? Are they exempt or are they not exempt from taxes with reference to the contributions which they make?

Mr. FULTON of Pennsylvania. A contribution to the academy is an educational contribution and would be treated as such by U.S. tax law. The people who have made contributions to this academy, the American Academy in Rome, have, through their contributions, established fellowships in archeology, literature, and history of the classical and later periods, landscaping, architecture, musical composition, foreign design, sculpture. Their contributions have constructed an academy for Americans to study and live in at the center of Western culture and civilization for a thousand years, the city of Rome. They have built, as well, a library of 72,000 volumes.

If the gentleman from Iowa thinks that the educational objectives encompassed under this legislation are not worthwhile, then the gentleman is privileged to vote his convictions.

Mr. GROSS. I am not passing upon the question as to whether it is good or bad. I am merely trying to ascertain whether they pay taxes on the money that goes to this academy in Rome, whether it is tax exempt. If it is tax exempt, the Federal Government is indirectly subsidizing this academy. That is all.

Mr. FULTON of Pennsylvania. In answer to that, I shall have given to the gentleman the names of the contributing institutions, and the names of the trustees of the American Academy in Rome:

AMERICAN ACADEMY IN ROME
CONTRIBUTING INSTITUTIONS

American Numismatic Society, Amherst College, Barnard College, Brandeis University, Brown University, Bryn Mawr College, University of California, Catholic University

of America, University of Chicago, University of Cincinnati, University of Colorado, Columbia University, Connecticut College, Cornell University.

Dartmouth College, Duke University, Emory University, Florida State University, Fordham University, Hamilton College, Harvard University, Haverford College, Hollins College, Hunter College, University of Illinois, Indiana University, Institute for Advanced Study, University of Iowa.

The Johns Hopkins University, University of Kansas, University of Kentucky, Manhattanville College, Massachusetts Institute of Technology, Metropolitan Museum of Art, Michigan State University, University of Michigan, University of Minnesota, University of Mississippi, University of Missouri, Mount Holyoke College.

College of New Rochelle, New York University, State University of New York at Buffalo, University of North Carolina, Northwestern University, University of Notre Dame, Oberlin College, Ohio State University, University of Oklahoma, University of Oregon, Pennsylvania State University, University of Pennsylvania, University of Pittsburgh, Princeton University.

Rhode Island School of Design, Rice University, University of Rochester, Rosary College, Rutgers—The State University, Smith College, University of the South, University of South Carolina, Stanford University, Swarthmore College, Temple University, Tyler School of Art, University of Texas, Tufts University, Tulane University.

Vanderbilt University, Vassar College, University of Vermont, University of Washington, Seattle, Washington University, St. Louis, Wellesley College, Wesleyan University, Wheaton College, Massachusetts, Williams College, University of Wisconsin, Yale University.

TRUSTEES (NEW NOMINATIONS) TO SERVE UNTIL 1969

Frederick B. Adams, Jr., library director; David T. Harris, banker; Otto Luening, composer; Ezio Martinelli, sculptor.

TRUSTEES (RENOVATIONS AND NEW NOMINATIONS) TO SERVE UNTIL 1970

James S. Ackerman, Sherman Baldwin, Walker O. Cain, Mason Hammond, Lewis Iselin, William H. Johnstone, Paul MacKenzie, Arthur Osver, Nathaniel A. Owings, Randall Thompson, William Thon, painter (new), Robert Venturi, architect (new).

ADDITIONAL LIST OF TRUSTEES

Edmund N. Bacon, city planner; Walter C. Baker, retired businessman; Edward L. Barnes, architect; Peter Blume, painter; Elliott Carter, composer; Lionel Casson, classicist; Gardner Cox, painter; Eric Gugler, architect; Walker Hancock, sculptor; Charles B. Harding, businessman; Rensselaer W. Lee, art historian.

Henry Allen Moe, foundation director; William Platz, architect; Michael Rapuano, landscape architect; Henry R. Rowell, classicist; Langdon S. Simons, Jr., businessman; J. Kellem Smith, Jr., foundation secretary; James Johnson Sweeney, museum director; Randall Thompson, composer; Landon K. Thorne, Jr., businessman; John Walker, museum director.

TRUSTEES EMERITI

Hoyt Ammidon, Louis Bouche, Gilmore D. Clarke, Dwight S. Beebe, retired businessman; William D. Dinsmoor, classicist; Wallace K. Harrison, architect; C. W. Mendell, classicist; Douglas Moore, composer.

Mr. LIPSCOMB. Mr. Speaker, will the gentleman yield?

Mr. FULTON of Pennsylvania. The gentleman from Iowa questioned whether these people pay taxes when they are contributing. Of course they do not.

Mr. LIPSCOMB. I will say to the gen-

tleman that I agree, of course they do not. So the answer to the question of the gentleman from Iowa is that, yes, they do not pay taxes. That is all the gentleman wanted to know. The gentleman from Iowa wanted to know whether or not indirectly they receive a tax exemption, and the answer is yes.

Mr. FULTON of Pennsylvania. It sounded as if there were imputed to be something wrong with the fact that these institutions are contributing, so I believe it better to place the whole list of these institutions in the RECORD.

Mr. LIPSCOMB. There was nothing wrong with it, that is the way the law is. The answer to the gentleman is yes, and that is all he wanted to know.

Mr. FULTON of Pennsylvania. Yes; but I wanted to be sure we have in the RECORD these fine institutions from all over the country of every type and variety that are contributing to the American Academy in Rome.

Mr. Speaker, in my judgment these fine institutions are well worth contributing to, and I admire each and every one of them. They have contributed to the American Academy at Rome in order to secure the possibility of having these fellowships established for study, and for the library in Rome, so that we in this country will have the benefit of the great heritage of culture that has been in Rome and in Europe for these many centuries.

Mr. Speaker, I strongly support the American Academy at Rome. It has been managed well; there has been no criticism of its operation all through the years, either in the Congress or otherwise, that I am knowledgeable about.

When Congress can foster such a significant impact on both the foreign policy of the United States, its image abroad, and on the state of the fine arts throughout the world, and do so without cost to the American taxpayer, I believe that it should do so most willingly. In this spirit, the Members of this House should support the bill before it today to increase the authorization of the American Academy from \$10 million to \$25 million in real and personal property.

Mr. KUPFERMAN. Mr. Speaker, will the gentleman yield?

Mr. FULTON of Pennsylvania. I yield to the gentleman from New York.

(Mr. KUPFERMAN asked and was given permission to revise and extend his remarks.)

Mr. KUPFERMAN. Mr. Speaker, the New York office of the American Academy in Rome is located in my district at 101 Park Avenue. Distinguished members of its board of trustees and officers live in my district. This organization is one of the groups that makes the 17th Congressional District of New York one of the world centers of culture. Supporting, as it does, an academy in Rome with private funds, it gives an opportunity to absorb the teachings of the past for the art of the future without the Government spending taxpayer's money.

I am very pleased to support S. 281, a bill increasing the amount of real and personal property which may be held by the American Academy in Rome. My own bill to the same effect, cosponsored with Senator JAVITS, is H.R. 6149. See

House Committee Report No. 557 of August 16, 1967. The Senate Report No. 238 is dated May 17, 1967.

I originally introduced this bill in the 89th Congress shortly after my election to Congress. It was then H.R. 15502 and my comments in the CONGRESSIONAL RECORD of June 7, 1966, at page A3075 are herein set forth:

INCREASE THE AMOUNT OF PROPERTY WHICH MAY BE HELD BY THE AMERICAN ACADEMY IN ROME

Mr. KUPFERMAN. Mr. Speaker, during this period of growing interest both in the arts and humanities and in international education, I would like to remind my distinguished colleagues of an institution which has been one of America's finest and longest contributors to both of these fields—the American Academy in Rome. Since 1894 the academy has provided promising young American artists and scholars with the opportunity to spend one or more years in Rome undertaking independent creative work or research.

The American Academy in Rome was chartered in 1905 by the U.S. Congress to promote the study and practice of the fine arts and to aid and stimulate the education and training of architects, painters, sculptors, and other artists.

The original act in 1905 provided that the American Academy in Rome may hold real estate and personal property in the United States and Italy for the necessary use and purpose of the organization to an amount not to exceed \$1 million.

With the many endowments, gifts, and contributions from individuals and American colleges and universities—the original amount of real and personal property which the academy is authorized to hold was soon increased to \$10 million—Public Law 251, June 6, 1912.

The present bill would permit the American Academy in Rome to receive additional bequests and legacies to enable it to continue its work in Italy and America by authorizing an increase in the total amount of property it may hold to \$25 million.

Under an amendment to the charter in 1913, the academy was consolidated with the American School of Classical Studies in Rome, and its purposes were broadened to include the study of the archeology, literature, and history of the classical and later periods.

With the exception of a summer session, the Academy offers no coursework. Each year several distinguished artists, composers, and scholars are invited to be in residence, and they are always available to fellows for advice and consultation. The Academy draws its support from endowment funds, gifts from individuals, and yearly contributions of \$250 to \$500 each from American colleges and universities.

The atmosphere and setting of the American Academy in Rome, whose United States office is in New York City, provide an ideal setting for the growth of all who have an opportunity to live and work there. But the Academy's influence is not limited to those who are in residence. It reaches out to the citizens of Rome and each year welcomes many distinguished guests who travel to Rome from all over the world. Through concerts, lectures, and exhibits, the creative talents of those at the Academy and other special guests are shared with a wide range of individuals. Cooperative ventures with European artists, scholars, and institutions are another way in which the educational and creative endeavors of the Academy become truly international.

The significance of the Academy in nurturing some of America's greatest artists and humanist scholars and the growth of their worldwide reputation can scarcely be under-

estimated. The roster of former fellows shows that some of our most eminent artists and scholars studied there as young men and women. Among them, I am proud to say, are many New Yorkers. John Ciardi, an editor of the Saturday Review, Howard Hanson, director of the Institute of American Music, Randall Thompson, one of our most prominent composers, writers Ralph Ellison and Richard Wilbur, and painter Joseph Lasker are just a few of the many from our State alone who spent some of their important early years at the Academy.

Mr. Speaker, as we look forward to the growth of the study of the arts and humanities in this country, and to a greater stress on international education, I pay tribute to the American Academy in Rome. The farsightedness of its distinguished founders, the efforts of its trustees and directors, and the creative work of its many residents and visitors over the past 70 years have been of great benefit to our country here and abroad and have provided us all with an example we should try to emulate.

I am pleased to be the sponsor of legislation which will enable the American Academy in Rome to continue and expand its splendid work and many contributions to the fields of art and humanity.

THE SPEAKER pro tempore (Mr. ALBERT). The question is on the motion of the gentleman from Missouri that the House suspend the rules and pass the bill, S. 281, with the title amended.

The question was taken; and (two-thirds having voted in favor thereof) the rules were suspended and the bill, with title amended, was passed.

A motion to reconsider was laid on the table.

GENERAL LEAVE TO EXTEND

Mr. JONES of Missouri. Mr. Speaker, I ask unanimous consent that any Members desiring to do so may have 5 legislative days in which to extend their remarks on the bill just passed, S. 281.

THE SPEAKER pro tempore. Is there objection to the request of the gentleman from Missouri?

There was no objection.

TRANSFER OF PEANUT ACREAGE ALLOTMENTS.

Mr. O'NEAL of Georgia. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 11565) to amend section 358 of the Agricultural Adjustment Act of 1938, as amended, to authorize the transfer of peanut acreage allotments.

The Clerk read as follows:

H.R. 11565

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Agricultural Adjustment Act of 1938, as amended, is amended by adding after section 358 the following new section:

"SEC. 358a. (a) Notwithstanding any other provision of law for the 1968 and 1969 crop years, the Secretary, if he determines that it will not impair the effective operation of the peanut marketing quota or price-support program, (1) may permit the owner and operator of any farm for which a peanut acreage allotment is established under this Act to sell or lease all or any part or the right to all or any part of such allotment to any other owner or operator of a farm in the same county for transfer to such farm; and (2) may permit the owner of a farm to transfer all or any part of such allotment to any other farm owned or controlled by him.

"(b) Transfers under this section shall be subject to the following conditions: (1) no allotment shall be transferred to a farm in another county; (2) no transfer of an allotment from a farm subject to a mortgage or other lien shall be permitted unless the transfer is agreed to by the lienholders; (3) no sale of a farm allotment from a farm shall be permitted if any sale of allotment to the same farm has been made within the three immediately preceding crop years; (4) no transfer of allotment shall be effective until a record thereof is filed with the county committee of the county in which such transfer is made and such committee determines that the transfer complies with the provisions of this section; and (5) if the normal yield established by the county committee for the farm to which the allotment is transferred does not exceed the normal yield established by the county committee for the farm from which the allotment is transferred by more than 10 per centum, the lease or sale and transfer shall be approved acre for acre, but if the normal yield for the farm to which the allotment is transferred exceeds the normal yield for the farm from which the allotment is transferred by more than 10 per centum, the county committee shall make a downward adjustment in the amount of the acreage allotment transferred by multiplying the normal yield established for the farm from which the allotment is transferred by the acreage being transferred and dividing the result by the normal yield established for the farm to which the allotment is transferred: Provided, That in the event an allotment is transferred to a farm which at the time of such transfer is not irrigated, but within five years subsequent to such transfer is placed under irrigation, the Secretary shall also make an annual downward adjustment in the allotment so transferred by multiplying the normal yield established for the farm from which the allotment is transferred by the acreage being transferred and dividing the result by the actual yield for the previous year, adjusted for abnormal weather conditions, on the farm to which the allotment is transferred: Provided further, That, notwithstanding any other provision of this Act, the adjustment made in any peanut allotment because of the transfer to a higher producing farm shall not reduce or increase the size of any future National or State allotment and an acreage equal to the total of all such adjustments shall not be allotted to any other farms.

"(c) The transfer of an allotment shall have the effect of transferring also the acreage history and marketing quota attributable to such allotment and if the transfer is made prior to the determination of the allotment for any year the transfer shall include the right of the owner or operator to have an allotment determined for the farm for such year: Provided, That in the case of a transfer by lease the amount of the allotment shall be considered, for the purpose of determining allotments after the expiration of the lease, to have been planted on the farm from which such allotment is transferred.

"(d) The land in the farm from which the entire peanut allotment has been transferred shall not be eligible for a new farm peanut allotment during the five years following the year in which such transfer is made.

"(e) Any lease may be made for such term of years not to exceed five as the parties thereto agree, and on such other terms and conditions except as otherwise provided in this section as the parties thereto agree.

"(f) The lease of any part of a peanut acreage allotment determined for a farm shall not affect the allotment for the farm from which such allotment is transferred or the farm to which it is transferred, except with respect to the crop year or years specified in the lease. The amount of the acreage allotment which is leased from a farm shall

be considered for purposes of determining future allotments to have been planted to peanuts on the farm from which such allotment is leased and the production pursuant to the lease shall not be taken into account in establishing allotments for subsequent years for the farm to which such allotment is leased. The lessor shall be considered to have been engaged in the production of peanuts for purposes of eligibility to vote in the referendum.

"(g) The Secretary shall prescribe regulations for the administration of this section which may include reasonable limitation on the size of the resulting allotments on farms to which transfers are made and such other terms and conditions as he deems necessary, but the total peanut allotment transferred to any farm by sale or lease shall not exceed fifty acres.

"(h) If the sale or transfer occurs during a period in which the farm is covered by a conservation reserve contract, cropland conversion agreement, or other similar land utilization agreement the rates of payment provided for in the contract or agreement of the farm from which the transfer is made shall be subject to an appropriate adjustment, but no adjustment shall be made in the contract or agreement of the farm to which the transfer is made."

The SPEAKER pro tempore. Is a second demanded?

Mr. BELCHER. Mr. Speaker, I demand a second.

The SPEAKER pro tempore. Without objection, a second will be considered as ordered.

There was no objection.

The SPEAKER pro tempore. The gentleman from Georgia [Mr. O'NEAL] will be recognized for 20 minutes, and the gentleman from Oklahoma [Mr. BELCHER] will be recognized for 20 minutes.

The Chair recognizes the gentleman from Georgia [Mr. O'NEAL].

Mrs. SULLIVAN. Mr. Speaker, a parliamentary inquiry.

The SPEAKER pro tempore. The gentlewoman will state her parliamentary inquiry.

Mrs. SULLIVAN. Mr. Speaker, I wanted to also demand a second, and I just wondered if the gentleman who demanded the second is opposed to the bill?

The SPEAKER pro tempore. The request of the gentlewoman from Missouri is not timely, the Chair will state to the gentlewoman.

Mrs. SULLIVAN. Mr. Speaker, I was on my feet waiting to be recognized.

The SPEAKER pro tempore. The Chair is very, very sorry the gentlewoman did not challenge the gentleman from Oklahoma prior to the time the Chair had recognized the gentleman from Oklahoma to control the time after he had demanded a second. The Chair is sure the gentleman from Georgia and the gentleman from Oklahoma will yield to the gentlewoman from Missouri.

Mrs. SULLIVAN. Mr. Speaker, I was on my feet, and said that I demanded a second.

The SPEAKER pro tempore. The Chair will state the rule is that the gentlewoman should have challenged before the gentleman from Oklahoma had received the right to control the time after he demanded a second. Had the gentlewoman done so, the Chair would have put the question of qualification to the gentleman from Oklahoma.

Mrs. SULLIVAN. Mr. Speaker, I am sorry that I made the mistake. I did not know that I had to challenge as the Speaker has indicated, and that is why I made the parliamentary inquiry.

The SPEAKER pro tempore. The gentleman from Georgia is recognized.

Mr. O'NEAL of Georgia. Mr. Speaker, I yield myself such time as I may use.

Mr. Speaker, the purpose of H.R. 11565 is to authorize the sale, lease, or transfer of peanut acreage allotments among farms within the same county.

Enactment of the bill would not result in any additional cost to the Federal Government, but it would serve to improve program operations for peanut farmers. It has the blessings of the Department of Agriculture, the Bureau of the Budget, and the House Committee on Agriculture.

This legislation is needed primarily to permit farmers to increase the size of their allotment in order to realize a more reasonable return on their considerable investments.

There are many peanut acreage allotments too small to constitute an economic unit in view of rising costs of producing and harvesting the crop. The Department of Agriculture reports that in 1964—the last year for which complete statistics are available—more than one-fourth of all peanut allotments were five acres or less and more than one-half were 10 acres or less. This year the average size of established allotments is approximately 17.9 acres.

The problem of small allotments becomes more serious each year as the cost per acre to produce peanuts continues to rise steadily. A farmer with an allotment of five acres must use the same type expensive equipment, herbicides, and improper methods of cultivation as a farmer with 100 acres.

Allowing farmers to transfer peanut acreage allotments would permit the establishment of more economic-sized units of production. This in turn would result in more efficient production on individual farms and for the industry as a whole.

Small but capable and efficient farmers could increase their acreage of peanuts while others, who wish to discontinue growing peanuts, could transfer their resources to other crops, or retire from peanut production entirely and still receive remuneration.

Another very important benefit of the bill is that it would allow a new grower to acquire an allotment even though the national allotment is not increased by 1 acre. At present there is little or no opportunity for a young man who decides on a career in farming or a sharecropper who has long dreamed of the day he could own a farm because they were not fortunate enough to meet the requirements for a peanut acreage allotment in 1949 when they were reestablished after World War II. This legislation would permit a new grower to obtain an allotment up to 50 acres through lease or outright purchase.

In essence, this legislation will put peanut production in the hands of those who want to grow peanuts while at the same time it guards against any geo-

graphical switch in peanut production which could conceivably damage the economy of many counties.

The committee felt that the authority to lease, sell or transfer peanut acreage allotments should be accompanied by language in the legislation which would guard against any speculation or over-production which might otherwise result from this new authority. Therefore, the following conditions are set forth in the legislation:

First. Under no condition may allotments be transferred across county lines.

Second. No allotment may be transferred from a farm subject to a mortgage or lien unless the transfer is agreed to by the lienholders.

Third. No sale of a farm allotment from a farm shall be permitted if any sale of allotment to the same farm has been made within the three immediately preceding crop years.

Fourth. No transfer of allotment shall be effective until a record thereof is filed with the county committee of the county in which the transfer is made and until the county committee determines that the transfer complies with the provisions of the law.

Fifth. If there is not more than a 10-percent difference in production per acre, transfers shall be on the basis of acre for acre; however, in cases where the transferred acreage goes to a farm where the production per acre exceeds that of the transferred acreage by more than 10 percent, there shall be a corresponding downward adjustment in the amount of acreage transferred to assure that no overproduction would result from the transfer.

Sixth. Where an allotment is transferred to a farm which at the present time is not irrigated but which within 5 years places the transferred allotment under irrigation, the Secretary of Agriculture shall then make a downward adjustment in the amount of acreage transferred to assure that there would be no increased production as a result of irrigating the transferred acreage.

Seventh. The land on the farm from which the entire peanut allotment has been transferred shall not be eligible for a new farm peanut allotment during the 5 years following the year in which such transfer is made.

Eighth. Leases of any portion of a peanut allotment shall not exceed 5 years.

Ninth. The total peanut allotment transferred to any farm by sale or lease shall not exceed 50 acres or any lesser amount prescribed by the Secretary.

Peanut farming has undergone very great changes in recent years.

When the present allotments were required in 1949, nearly all of the harvesting was done by hand labor using pitchforks to pile the newly plowed vines and nuts in stacks, so that the wind and sunshine would dry them in a process that might take many weeks.

Now the labor is scarce and the stacks are nonexistent.

Virtually every peanut farmer in America uses a windrow process that requires expensive machinery, and as a result an investment is required of many thousands of dollars.

The same allotment useful to the farm with labor in the family or nearby is "gone with the wind."

The farmer either has to buy this machinery himself or pay someone else who has bought the machinery.

So, he has virtually the same cost of harvesting 20 acres as he would 50 acres.

If this bill becomes law, it will not cause an increase in production. Extreme care has been taken to write in it language that will not cause it, but it will bring about a general reduction in costs per acre.

It will not affect the national volume, but it will permit a net profit to the individual farmer by merely reducing his cost per acre.

Many of these allotments are held by people who have inherited them with the land, but who do not farm them. They rent out the land and the allotment to active farmers who buy the big machines but who have no security because of changing whims of landlords affected by changing agriculture programs such as soil bank and cropland adjustment programs.

This will enable this man who was born 20 years too late to buy into his security by owning the allotment along with the machinery he has to invest in.

The provisions of this bill are virtually parallel with those of a bill permitting the sale and lease of cotton allotments—passed in 1965 by the 89th Congress.

And parallel with the provisions of a bill passed this year by the 90th Congress with reference to two or three types of tobacco.

The only difference is that this bill regarding peanuts is more restrictive—the committee recognizing clearly that the problems of commodities are different.

Mr. BELCHER. Mr. Speaker, I yield 10 minutes to the gentlewoman from Missouri [Mrs. SULLIVAN].

The SPEAKER pro tempore (Mr. ALBERT). The gentlewoman from Missouri is recognized for 10 minutes.

CALL OF THE HOUSE

Mr. RYAN. Mr. Speaker, I make the point of order that a quorum is not present.

The SPEAKER pro tempore. Evidently a quorum is not present.

Mr. ABBITT. Mr. Speaker, I move a call of the House.

A call of the House was ordered.

The Clerk called the roll, and the following Members failed to answer to their names:

[Roll No. 225]

Addabbo	Everett	Kluczynski
Anderson, Ill.	Fallon	Leggett
Barrett	Fino	Long, La.
Bell	Fisher	Lukens
Bingham	Ford, Gerald R.	McCarthy
Blackburn	Fulton, Tenn.	McCulloch
Bow	Gettys	McEwen
Brock	Giaimo	Macdonald,
Button	Gibbons	Mass.
Cederberg	Grover	Michel
Clausen,	Gubser	Morris, N. Mex.
Don H.	Hansen, Wash.	Murphy, N.Y.
Collier	Hardy	Nix
Corman	Harsha	O'Neill, Mass.
Curtis	Hicks	Philbin
Delaney	Holifield	Pirnie
Devine	Howard	Pucinski
Dickinson	Hungate	Rarick
Diggs	Irwin	Resnick
Dingell	Jones, N.C.	Riegle
Donohue	Karth	Robison
Dwyer	Kastenmeier	Rodino
Edwards, Ala.	King, N.Y.	Ronan

Rostenkowski	Shipley	Walker
Roudebush	Stephens	Watkins
Satterfield	Stuckey	Williams, Miss.
St. Onge	Teague, Tex.	Willis
Saylor	Ullman	Wydler

The SPEAKER pro tempore. On this rollcall, 350 Members have answered to their names, a quorum.

By unanimous consent, further proceedings under the call were dispensed with.

TRANSFER OF PEANUT ACREAGE ALLOTMENTS

The SPEAKER pro tempore. The gentlewoman from Missouri [Mrs. SULLIVAN] is recognized for 10 minutes.

Mrs. SULLIVAN. Mr. Speaker, I am unalterably opposed to H.R. 11565 as it has been brought before the House today and I hope sufficient of my colleagues will join me in opposition to this legislation so that we can defeat its passage under suspension of the rules. This is a bill to amend section 358 of the Agricultural Adjustment Act of 1938, as amended, to authorize the transfer of peanut acreage allotments. I do not think all of the implications of this legislation have been fully considered by the Committee on Agriculture. In any event, I am somewhat surprised by the form in which the bill has been reported.

The first thing about the bill which surprises me greatly is the fact that it would authorize the sale, lease, or transfer of these allotments for both the 1968 and 1969 crop years. If this legislation were to pass in this form it would mean that the Committee on Agriculture would not be required to take another look at this situation next year and thus the House also would not have an opportunity to amend or repeal this experimental program. How do we know it is going to work effectively over a period of 2 years? Is there not some danger in letting a new program of this nature run its own course for such a long period of time without mandatory congressional review by the appropriate legislative committee? Without an annual review by the Committee on Agriculture how will we know whether people are cheating? How will we know whether the consequences of this legislation will be different from those anticipated by its sponsors?

I am sure I may be excused for raising these questions because, as the Members remember, these were the main questions raised by the committee in connection with the food stamp authorization bill which we considered here in the House last June.

The Committee on Agriculture placed an amendment on my bill limiting the authorization for appropriations to the current fiscal year only. This was done in order to make sure that the committee would have to review the program again next year to find out whether there were any shenanigans, cheating, fraud, and so on. Even though the food stamp program has been in operation in essentially its present form for 6 years, and there has been no scandal and no waste or extravagance—even though it has been working very well in fact—the Committee on Agriculture was fearful that if we should

let it run for more than a year without legislative review, it might run wild.

FOOD STAMP PROGRAM LIVING ON BORROWED TIME

Of course, I did not agree with that philosophy at the time the food stamp bill was before us, particularly since the Senate had already passed a bill for a 3-year authorization of appropriations. Most of us who supported the food stamp program felt that the difference between a 1-year bill and a 3-year bill was not of such monumental proportions that it could not be resolved in conference, perhaps on the basis of a 2-year compromise, but we were apparently very wrong in this estimate. We did not reckon with the depth and intensity of conviction of the House conferees on the principle involved in this issue, for it is more than 2 months since the food stamp bill went to conference and it is still there—deadlocked, stalemates—over the question of whether it should be extended for 1 year or 3 years or 2 years.

If the issue is of such vast importance in connection with the food stamp program, then certainly it is somewhat important—I would say at least as important—to the idea of letting peanut farmers sell, lease or transfer their acreage allotments.

If we defeat the peanut acreage bill today, the worst thing that happens, or could happen, would be that the peanut farmers would have to continue farming their own acreage in order to make use of their allotments. The big farmers could not take over the allotments of the little farmers without buying their land.

But if the food stamp program dies—as it will, the moment the agricultural appropriations bill is signed into law, unless the authorization of it is blasted out of conference and passed first—more than 2 million Americans now eating properly—eating well and enjoying decent nutritional standards—will be deprived of the help which has meant the difference between undernourishment and proper nutrition.

WAS 2-YEAR PEANUT BILL AN OVERSIGHT?

Mr. Speaker, the Committee on Agriculture has made such a point of the absolute and vital necessity for annual review of any and all programs under its jurisdiction that it has convinced me that if this policy is to be followed on the food stamp program, it certainly should be followed also on the sale, lease, or transfer of peanut acreage allotments. All sorts of things could happen in the next 2 years in this peanut acreage allotment transfer program. Yet the Congress would be powerless to do anything about it because the House Agriculture Committee will have surrendered its prerogative to review the program again next year before allowing it to continue, and the farmers will be buying and selling allotments without the kind of congressional scrutiny the Agriculture Committee considers so important.

I am sure that putting a 2-year instead of a 1-year time period on this peanut bill was an oversight on the part of the committee. The chairman of the Committee on Agriculture assured us last June when the food stamp bill was before us that it was his intention to limit to 1 year every single authoriza-

tion bill approved by his committee. He even indicated, if I recall correctly, that he would be willing to put the section 32 program on an annual basis instead of having this open-end program, amounting to half a billion dollars a year, removed from annual legislation review.

I would love to have an opportunity to vote each year on whether we should continue to set aside one-third of all customs receipts for the benefit of the cattle ranchers, the chicken farmers, the lettuce growers, and others who raise perishable commodities, based upon the depression period census, which indicated that in those days one-third of our population lived on farms, instead of today's 6 percent.

SHOULD STATES SET UP FOOD STAMP FUND FOR EX-PEANUT FARMERS?

If there were some possibility or indication that the House conferees on the food stamp program would be willing to let that program run for at least 2 years, then I could perhaps be persuaded there would be no great danger to the Republic or to the economy or to the American way of life if peanut farmers could have 2 years in which to lease, sell, or transfer their acreage allotments. Even so, I would have some misgivings about this bill on the basis of the hearings on the peanut bill, because the transcript shows that in many areas peanut production is the only cash crop of any consequence. The fear was expressed in the hearings that small farmers having peanut allotments would sell them and then find that they could not farm profitably. So they would either come to our cities where we would have to try to figure out some way to help them exist, or they would have to go on the Food Stamp program where they are.

Generally, the food stamp program has operated properly, but in the case of the congressional district in Georgia represented by the author of H.R. 11565, Mr. O'NEAL, there is an indication that the food stamp program has not been operating properly. Mr. O'NEAL told us during the hearings on the food stamp bill that the people in his district were buying beer and whiskey and cigarettes with the food stamps. This is clearly illegal. Apparently, some of the stores are conspiring with some of the people to take the food stamps meant for the nutrition of the children and diverting them instead to booze and tobacco. This worries me, for if we pass H.R. 11565 and some of the peanut farmers in Georgia sell their allotments, and spend the money foolishly for beer and whisky, then when they are broke again and have to go back on the food stamp program, they might continue with these same bad habits, only this time the taxpayers of the United States would be subsidizing their illegal purchases.

Under the circumstances, Mr. Speaker, I believe this bill must be defeated so that the Committee on Agriculture can correct its oversight and come back with a bill which limits the program to only 1 year and perhaps calls for sharing by the States of up to 20 percent in the value of the peanut acreage allotments to be set aside in a fund to provide food stamps to those who sell their allotments

and then are left with farms on which they cannot make a living.

Mr. BELCHER. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I am glad that the gentlewoman from Missouri has joined me in limiting these bills to 1 year. I was in favor of limiting the food stamp bill to 1 year, and I join with the gentlewoman in believing this bill should be limited to 1 year also, and I would be glad to support any amendment she might make for this purpose.

Mrs. SULLIVAN. Mr. Speaker, if the gentleman will yield, under suspension of rules we are not allowed to amend a bill brought to the floor.

Mr. BELCHER. Mr. Speaker, I am terribly sorry about that, but I am glad the gentlewoman changed her mind on this 1 year. I appreciate the argument she made in that regard. I think it is good for Congress to take a look at these programs every year. I think that was true of the food stamp program, and I believe it is true of this and many other plans. I think it undoubtedly was an oversight on the part of the Committee on Agriculture that this was made for 2 years instead of 1 year, because I know the attitude of the Committee on Agriculture is to limit them to 1 year.

Mr. DOLE. Mr. Speaker, if the gentleman will yield, I think there may be one exception. We passed in committee the meat inspection bill with no limitation. I agree with the gentlewoman that we should keep a consistent review of these programs. I believe when that bill reaches the floor, we should be alert on that bill too.

Mr. BELCHER. Mr. Speaker, did I understand the gentlewoman made that speech on the meat inspection bill?

Mr. DOLE. Mr. Speaker, I did not notice it.

Mr. BELCHER. Mr. Speaker, did the gentlewoman oppose the 2-year limitation on the meat inspection bill?

Mrs. SULLIVAN. I was the first sponsor of an intrastate meat inspection bill. I am sorry the committee refused to take my bill. Of course, I was not able to participate in your executive sessions on that bill.

Mr. BELCHER. Mr. Speaker, would the gentlewoman say there is anything more important than a meat inspection bill to do away with dirty meat?

Mrs. SULLIVAN. Mr. Speaker, if the gentleman will yield, I think that is one of the most important bills to be brought out of that committee, but it should have been a much stronger bill.

Mr. BELCHER. Mr. Speaker, I regret the gentlewoman was not able to make that speech on that bill.

Mr. O'NEAL of Georgia. Mr. Speaker, I yield such time as he may consume to the distinguished majority leader [Mr. ALBERT].

Mr. ALBERT. Mr. Speaker, I rise in support of this legislation. I hope the House will suspend the rules and pass it.

I certainly hate to find myself ever on the opposition side of any issue from the distinguished gentlewoman from Missouri, whose contributions to this House and to progressive legislation have been manifold. I agree with what she has

had to say about the food stamp bill. I sincerely hope that a conference report will be forthcoming on that bill. That program is working well in most places. It is working as well as any Government program I know anything about. The gentlewoman knows I am for the program.

But I believe that the argument on the pending bill should not turn on some other piece of legislation, and I believe this sincerely.

The Secretary of Agriculture, speaking through the Under Secretary, has strongly recommended this legislation. He said, on April 27 of this year:

The Department has, on a number of occasions, recommended legislation to authorize the transfer by lease or sale of acreage allotments, base acreages, and quotas for all commodities. Our most recent recommendation of April 17, 1967, is presently pending before your committee. This authority has been provided only for cotton, leases of certain kinds of tobacco, and transfers of producer rice allotments. Although we still favor authority to lease and sell all commodity allotments, base acreages, and quotas, we have no objection to such authority being considered on a commodity-by-commodity basis.

There is a difference between an allotment program and a food stamp program. I believe 2 years are needed to start this program. Thereafter, if it is extended, it should probably be extended on a year-to-year basis.

We are late in the year 1967. Allotments for 1968 will be prepared in the very near future.

I come from a district in which peanut production is quite important. I know something about the peanut program. Peanut farmers are, by and large, very small farmers. There are no large peanut farmers in my part of the country that I know anything about. There are very few large peanut allotments, and most of them, I am sure, are less than 20 acres.

There is to be a 50-acre limitation on transfers under this bill. It would be very difficult for anyone to build up a large acreage as a result of this program, particularly in view of the fact that the Secretary is being given discretion to make regulations governing the transfer of allotments. This is important. The Secretary has a statutory limitation of 50 acres. He would probably, by regulation, if anything, lower that figure.

I hope the gentlewoman will not push this matter. This is important to a lot of people. It is important to a lot of little people. It is important to an industry which, though in most areas is not a large industry, is very important to those in the industry.

In counties in which there are peanut shellers and other peanut processors who have their equipment, it is very important to them that peanut production continue in their area. It is important to their employees. It is important to the farmers who are their suppliers. It is important to the Nation that we keep a healthy peanut industry. This bill provides a program that will help do it.

The peanut industry serves a very important purpose, and those in it should be treated like the producers of other commodities. The Congress has seen fit

to give this authority to the producers of cotton, who are much larger and involve a much greater responsibility on the part of the Government of the United States. It has seen fit to give this authority to the producers of certain types of tobacco, which, of course, is another crop which is under allotment.

Mr. Speaker, this legislation is needed. The Bureau of the Budget supports it, the President supports it, the Department of Agriculture supports it. I hope that the rules are suspended and the bill is passed.

Mrs. SULLIVAN. Mr. Speaker, will the gentleman yield?

Mr. ALBERT. I gladly yield to the gentlewoman.

Mrs. SULLIVAN. I have great respect for the knowledge and ability of our distinguished majority leader. I understand his argument for an opportunity for planning ahead on peanut allotments, but I think the Department of Agriculture will also tell you of the great need to plan ahead with respect to new counties coming in to the food stamp program. You do not put these food stamp programs into new areas overnight. There has to be extensive planning ahead for it. We used all of these arguments during the debate on the food plan authorization bill. We passed that stamp plan authorization bill. We passed that bill on the 8th of June, and it is still deadlocked in conference. Now, I do not like to resort to means of this type to force things to be done in this Congress any more than does any other Member, but I think that if we are to be blocked from more than a 1-year authorization for the food stamp plan, and the bill is in danger of dying in conference, then I give warning that on every bill coming out of the Committee on Agriculture authorizing a program for more than 1 year, I will fight it until we put the authorization of the Food Stamp Act on a more equitable basis. I think a 1-year limitation is too severe for the food stamp program and the Senate has taken the same position. There has to be compromise on both sides. I do not believe in doing all of the compromising.

Mr. ALBERT. In response to the gentlewoman, I do not think that the two programs are comparable. I am for the 2-year program on the food stamp plan. I do not like to equate things, however, that are not comparable. I am sorry that a conference report on the food stamp bill has not been brought back to the House. However, I do not think we should penalize those who need the pending legislation. I am sure most of them are interested in the food stamp program, because peanut butter, peanut oil, and other peanut products can be sold under the plan. Peanut farmers are interested in anything that will help to move their products.

If the two programs had any direct relationship, I would certainly agree with the gentlewoman. Under the circumstances I hope that the gentlewoman does not press her position on this matter. I think this is a question of simple justice. The bill which she sponsored is a magnificent bill. It is one of the best bills that the Congress has passed in my time.

I hope we get an agreement on that bill. I also hope that the gentlewoman will let the matter stand on its own merits and let this bill likewise stand on such merits as we think it has.

Mrs. SULLIVAN. If the gentleman will continue to yield, I think you understand as well as I, do you not, that the food stamp bill will die if something is not done before the agriculture appropriation bill is passed?

Mr. ALBERT. I think that is true. I am hoping something will be done, though. We have a very fine conference committee on the part of the House. I feel sure that after they have bargained awhile they will reach an agreement. At least I hope they will.

Mrs. SULLIVAN. If the gentleman will continue to yield, do you not feel that 2 months of a conference stalemate on something as important as the food stamp bill is out of order?

Mr. ALBERT. I have seen stalemates go down to December 24. I hope that does not happen in this case, but I do not know. I cannot answer for the conferees.

(Mr. ALBERT asked and was given permission to revise and extend his remarks.)

Mr. BELCHER. Mr. Speaker, I yield such time as he may consume to the gentlewoman from South Carolina [Mr. WATSON].

Mr. WATSON. Mr. Speaker, I am certainly not an expert on this subject, but we have a few small growers in my district. My question is perhaps better directed to the chairman of the committee, because it deals specifically with production. Does this 50-acre limitation apply to the transferor as well as the transferee or only to the transferee?

Mr. POAGE. It applies only to the transferee.

Mr. WATSON. When the transferee attempts to make a transfer then he becomes a transferor. Would that apply to him at that time?

Mr. POAGE. He cannot transfer the acreage he has purchased until he has held it, I believe, for 3 years or after the terms of this bill expire. The purpose of this limitation is to prevent speculation in the purchase of these allotments and to allow a man only to purchase for the filling out of his own operation.

Mr. WATSON. I agree with the gentleman, and I am certainly in favor of the bill.

One further question: You say that there is a 10-percent differential in production between the transferor and that of the transferee and that then the acreage will not be on an acre per acre basis, but will be on a proportionately reduced amount?

Mr. POAGE. That is right.

Mr. WATSON. Would that permit the transferor to transfer 5 acres to one farm and then transfer 5 acres, should he have a 10-acre allotment, to another farm?

Mr. POAGE. That particular provision does not allow it, but the bill as a whole does allow such transfers. He could transfer all of his allotment to one or more individuals who are eligible to purchase or lease it from him. That is, if I

have 10 acres of allotment, I could transfer 5 acres to you and I could transfer 5 acres to the gentleman from Oklahoma, or I could transfer all of it to you. However, you cannot buy or lease more than 50 acres.

This provision to which you refer is to prevent the transfer of low-productive acreage to high-productive acreage and, thus, increase the total yield of peanuts over the Nation.

Mr. WATSON. That is the concern that I have.

Mr. POAGE. The program is so worked out that it will not allow an increase in the total production over the country of peanuts.

As the gentleman knows, there are 1,610,000 acres of peanut allotment at the present time. If all of that could be concentrated upon highly productive land and thus increase the production of peanuts substantially. However, this bill, if adopted, would not allow that. If your acreage is producing only 10 bushels of peanuts per acre and if I have land on which I can produce 40 bushels per acre, you would have to sell me 4 acres in order for me to get the right to plant 1 acre of my land.

Mr. WATSON. I thank the gentleman and, certainly, I am heartily in favor of his bill.

Mrs. KELLY. Mr. Speaker, will the gentleman yield?

Mr. BELCHER. I yield to the distinguished gentlewoman for a question only because I have such a short amount of time.

(Mrs. KELLY asked and was given permission to revise and extend her remarks.)

Mrs. KELLY. I would like to ask the gentleman a question: Would the gentleman work for a compromise at the present time with the conferees in order to bring out the food stamp plan out of conference with an authorization of 2 years?

Mr. BELCHER. In response to the question of the gentlewoman from New York, No, I am not in a position to make any trade.

Mrs. KELLY. I am not asking for a trade. I am asking for a conference report.

Mr. BELCHER. I am not in a position to trade. I shall tell the gentlewoman why. This involves a matter—the peanut acreage allotment—which is of little concern to the Members on this side of the aisle, because there is not a Member on this side of the aisle about whom I know who has a single acre of peanut allotment. All of the Members on that side of the aisle are interested in peanuts.

Therefore, I am a little surprised, and I find it hard to believe, that the distinguished gentlewoman from Missouri [Mrs. SULLIVAN] would want to penalize a group of poor peanut farmers in order to get back at a group of members of the Committee on Agriculture who would not agree to a comprise on the food stamp plan. I just cannot believe that the gentlewoman would do that.

I hope, for the benefit of the gentlewoman from Missouri, that the Members on that side of the aisle who are interested in peanuts do not oppose the food stamp plan simply because the gentle-

woman is trying to oppose the peanut acreage reallocation plan. If they should turn around and do to you what you are doing to them today, I think you are going to lose a whole lot of Members on your own side of the aisle in support of the food stamp plan. You will not lose or get any over here, because we are not on the peanut side of this House of Representatives.

Mrs. SULLIVAN. Mr. Speaker, will the gentleman yield?

Mr. BELCHER. I yield to the gentlewoman from Missouri.

Mrs. SULLIVAN. I believe if the gentleman listened to the statement I made on the floor a few minutes ago the gentleman would know that that is not my reason for opposing this bill.

Mr. BELCHER. Is the gentlewoman interested in peanuts? Does the gentlewoman have any peanut allotments in her district?

Mrs. SULLIVAN. No, my district is in the city.

Mr. BELCHER. What good reason would the gentlewoman have, then, in opposing the peanut farmers down there? Was it because the gentlewoman does not like the actions of those Members on the gentlewoman's side of the aisle that would not agree to more than a 1-year extension of the food stamp program?

Mrs. SULLIVAN. I will say in reply to the gentleman that I am afraid that some of these poor peanut farmers who have exceptionally small farms, and cannot make a good living on them, might come up to the city, and then we would have to take care of them up there.

Mr. BELCHER. That will only give you a few more customers for your food stamp program.

Mr. Speaker, I reserve the balance of my time.

The SPEAKER pro tempore. The gentleman from Oklahoma reserves 1 minute.

The question is on the motion of the gentleman from Georgia that the House suspend the rules and pass the bill H.R. 11565.

The question was taken.

Mrs. SULLIVAN. Mr. Speaker, I object to the vote on the ground that a quorum is not present, and make the point of order that a quorum is not present.

The SPEAKER pro tempore. Evidently a quorum is not present.

The Doorkeeper will close the doors, the Sergeant at Arms will notify absent Members, and the Clerk will call the roll.

The question was taken; and there were—yeas 208, nays 146, not voting 78, as follows:

[Roll No. 226]

YEAS—208

Abbitt	Bolton	Clawson, Del
Abernethy	Brinkley	Colmer
Albert	Broomfield	Conte
Andrews, Ala.	Broyhill, N.C.	Corbett
Arends	Broyhill, Va.	Cowger
Ashbrook	Buchanan	Cramer
Ashmore	Burke, Fla.	Cunningham
Aspinall	Burleson	de la Garza
Baring	Burton, Utah	Denney
Belcher	Bush	Derwinski
Berry	Byrnes, Wis.	Dickinson
Betts	Cabell	Dole
Bevill	Carter	Dorn
Blester	Casey	Dow
Blackburn	Cederberg	Dowdy
Bianton	Chamberlain	Downing
Boggs	Clancy	Dulski

Duncan	Kee	Railsback
Eckhardt	Kleppe	Reid, Ill.
Edmondson	Kornegay	Reifel
Edwards, La.	Kuykendall	Reinecke
Evans, Colo.	Kyl	Rivers
Everett	Kyros	Roberts
Evins, Tenn.	Laird	Rogers, Colo.
Fascelli	Lennon	Rogers, Fla.
Feighan	Lipscomb	Roush
Fisher	Long, Md.	Ruppe
Flood	McClure	Sandman
Flynt	McDonald,	Schadeberg
Foley	Mich.	Scherle
Fountain	McFall	Siack
Frelinghuysen	McMillan	Schwendel
Fulton, Tenn.	Machen	Scott
Fuqua	Mahon	Selden
Gailianakis	Malliard	Shriver
Gardner	Marsh	Sikes
Garmatz	Martin	Sisk
Gathings	Mathias, Calif.	Skubitz
Gonzalez	Mathias, Md.	Smith, Okla.
Goodell	Matsunaga	Snyder
Gray	May	Springer
Gross	Mayne	Staggers
Gude	Miller, Calif.	Steed
Gurney	Mills	Steiger, Ariz.
Hagan	Minshall	Stubblefield
Haley	Mize	Talcott
Hall	Montgomery	Taylor
Hamilton	Moore	Teague, Calif.
Hammer-	Morton	Thompson, Ga.
schmidt	Myers	Thompson, Wis.
Hansen, Idaho	Natcher	Tuck
Hardy	Neisen	Udall
Harrison	Nichols	Vigorito
Harvey	O'Konski	Waggoner
Hathaway	O'Neal, Ga.	Watson
Hébert	Passman	Watts
Hcnderson	Patman	White
Herlong	Patten	Whitener
Holland	Pelyi	Whitten
Huill	Pepper	Wiggins
Hunt	Perkins	Williams, Pa.
Hutchinson	Pettis	Wilson, Bob
Jarman	Pickle	Winn
Johnson, Calif.	Poage	Wright
Johnson, Pa.	Poff	Wyatt
Jonas	Pool	Young
Jones, Ala.	Price, Tex.	Zion
Jones, Mo.	Pryor	Zwach
Karsten	Purcell	
Kazen	Quillen	

NAYS—146

Adair	Friedel	Nix
Adams	Fulton, Pa.	O'Hara, Ill.
Andrews, N. Dak.	Gallagher	O'Hara, Mich.
Annunzio	Gilbert	Oisen
Ashley	Goodling	Ottinger
Ayres	Green, Oreg.	Pike
Bates	Green, Pa.	Price, Ill.
Battin	Griffiths	Quie
Bell	Halleck	Randall
Bennett	Halpern	Rees
Blatnik	Hanley	Reid, N.Y.
Boland	Hanna	Reuss
Bolling	Hawkins	Rhodes, Pa.
Brademas	Hays	Rooney, Pa.
Brasco	Hechler, W. Va.	Rosenthal
Bray	Heckler, Mass.	Roth
Brotzman	Heistoski	Royal
Brown, Calif.	Hicks	Rumsfeld
Brown, Mich.	Hosmer	Ryan
Brown, Oho	Ichord	St Germain
Burke, Mass.	Jacobs	Scheuer
Burton, Calif.	Joeison	Schneebell
Byrne, Pa.	Keith	Schweikert
Cahill	Kelly	Smith, Calif.
Carey	King, Calif.	Smith, N.Y.
Clark	Kirwan	Stafford
Cleveland	Kluczynski	Stanton
Cohelan	Kupferman	Steiger, Wis.
Collier	Langen	Stratton
Conable	Latta	Sullivan
Culver	Leggett	Taft
Daddario	Lloyd	Tenzer
Daniels	McClory	Tiernan
Davis, Wis.	McDade	Tunney
Dawson	MacGregor	Utt
Dellenback	Madden	Van Deerlin
Dent	Meeds	Vander Jagt
Devine	Meskill	Vanik
Dingell	Miller, Ohio	Waldie
Edwards, Calif.	Minish	Whalen
Eilberg	Mink	Whalley
Erlenborn	Monagan	Wldnall
Esch	Moorhead	Wilson, Charles H.
Eshleman	Morgan	Morse, Mass.
Farbstein	Moser	Wolf
Findley	Moss	Wylie
Ford,	Multer	Yates
	William D.	Murphy, Ill.
	Fraser	Nedzi

NOT VOTING—78

Addabbo	Gibbons	Pirnie
Anderson, Ill.	Grover	Pollock
Anderson,	Gubser	Pucinski
Tenn.	Hansen, Wash.	Rarick
Barrett	Harsha	Resnick
Bingham	Hofield	Riegle
Bow	Horton	Robison
Brock	Howard	Rodino
Brooks	Hungate	Ronan
Button	Irwin	Rooney, N.Y.
Celler	Jones, N.C.	Rostenkowski
Clausen,	Karth	Roudebush
Don H.	Kastenmeier	Satterfield
Conyers	King, N.Y.	St. Onge
Corman	Landrum	Saylor
Curtis	Long, La.	Shipley
Davis, Ga.	Lukens	Smith, Iowa
Delaney	McCarthy	Stephens
Diggs	McCulloch	Stuckey
Donohue	McEwen	Teague, Tex.
Dwyer	Macdonald	Thompson, N.J.
Edwards, Ala.	Mass.	Ullman
Falton	Michel	Walker
Fino	Morris, N. Mex.	Watkins
Ford, Gerald R.	Murphy, N.Y.	Williams, Miss.
Gettys	O'Neill, Mass.	Willis
Giaimo	Philbin	Wydler

So (two-thirds not having voted in favor thereof) the motion was rejected.

The Clerk announced the following pairs:

On this vote:

Mr. Stuckey and Mr. Jones of North Carolina for, with Mr. Riegle against.

Mr. Curtis and Mr. Davis of Georgia for, with Mr. Horton against.

Mr. Stephens and Mr. Edwards of Alabama for, with Mr. Giaimo against.

Mr. Fallon and Mr. Getty for, with Mrs. Dwyer against.

Mr. Rarick and Mr. Long of Louisiana for, with Mr. Rooney of New York against.

Mr. Landrum and Mr. Hungate for, with Mr. Delaney against.

Mr. Teague of Texas and Mr. Williams of Mississippi for, with Mr. Rodino against.

Mr. Willis and Mr. Brooks for, with Mr. St. Onge against.

Mr. Anderson of Tennessee and Mr. Gibbons for, with Mr. O'Neill of Massachusetts against.

Mr. Walker and Mr. Morris of New Mexico for, with Mr. Addabbo against.

Mr. Satterfield and Mr. Follock for, with Mr. Barrett against.

Until further notice:

Mr. Holfield with Mr. Don H. Clausen.

Mr. Celler with Mr. Gerald R. Ford.

Mr. Thompson of New Jersey with Mr. Diggs.

Mr. Bingham with Mr. Button.

Mr. Murphy of New York with Mr. Conyers.

Mr. Philbin with Mr. Michel.

Mr. Donohue with Mr. Bow.

Mr. Rostenkowski with Mr. Anderson of Illinois.

Mr. Ronan with Mr. Brock.

Mr. Shipley with Mr. Roudebush.

Mr. Macdonald of Massachusetts with Mr. Watkins.

Mr. Howard with Mr. Wydler.

Mr. Ullman with Mr. Gubser.

Mr. Corman with Mr. Fino.

Mr. Pucinski with Mr. Saylor.

Mr. Kastenmeier with Mr. Robison.

Mr. Smith of Iowa with Mr. Pirnie.

Mr. Resnick with Mr. McCulloch.

Mrs. Hansen of Washington with Mr. King of New York.

Mr. Karth with Mr. Grover.

Mr. Irwin with Mr. Harsha.

Mr. McCarthy with Mr. McEwen.

Mr. Robison with Mr. Lukens.

Messrs. FRIEDEL, FULTON of Pennsylvania, WYLIE, MACGREGOR and SMITH of California changed their votes from "yea" to "nay."

The result of the vote was announced as above recorded.

The doors were opened.

ACQUIRING APPOMATTOX MANOR

Mr. TAYLOR. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 182) to authorize the Secretary of the Interior to acquire Appomattox Manor, as historic property in Hopewell, Va., for addition to the Petersburg National Battlefield in Virginia, to provide for a revision of the boundaries of the battlefield, and for other purposes, as amended.

The Clerk read as follows:

H.R. 182

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That (a) in order to preserve the site of the headquarters of the Armies of the United States during the final nine months of the Civil War, the Secretary of the Interior is authorized to acquire the property known as Appomattox Manor together with improvements thereon, by donation, purchase with donated or appropriated funds, or exchange. The property consists of approximately eighteen acres in Hopewell, Virginia, bounded by the Appomattox and James Rivers, Cedar Lane and Pecan Drive, and comprises the estate held historically by the Eppes family. The property shall be administered as a noncontiguous part of the Petersburg National Battlefield.

(b) In acquiring property by exchange, the Secretary may accept title to any non-Federal property described in subsection (a) of this section and in exchange therefor convey to the grantor of such property any federally owned property in the Commonwealth of Virginia under his jurisdiction which he classifies as suitable for exchange or other disposal. The values of the properties so exchanged either shall be approximately equal, or if they are not approximately equal the values shall be equalized by the payment of cash to the grantor or to the Secretary as the circumstances require.

Sec. 2. (a) In order to facilitate the administration, protection, and public use of the Petersburg National Battlefield, the Secretary of the Interior, notwithstanding any other provision of law, is authorized to convey to the Commonwealth of Virginia or any political subdivision thereof, in consideration of acceptance by the Commonwealth of legislative jurisdiction and responsibility for maintenance but subject to such terms and conditions as he may prescribe, all right, title, and interest of the United States in and to not to exceed two hundred and fifty-eight acres of land, consisting of portions of roads and other lands which the Secretary determines are not needed for purposes of the national battlefield. Property so conveyed shall thereupon cease to be a part of the Petersburg National Battlefield.

(b) Upon the simultaneous acceptance by the Commonwealth of Virginia of the conveyance of the lands and roads authorized by subsection (a) of this section and legislative jurisdiction over such roads and lands, there is retroceded to the Commonwealth any jurisdiction the Commonwealth heretofore ceded to the United States over such property.

Sec. 3. The first sentence of section 2 of the Act of August 24, 1962 (76 Stat. 403; 16 U.S.C. 423h-2), is amended by striking out the words "twelve hundred" and substituting the words "six hundred."

Sec. 4. There are hereby authorized to be appropriated such sums, but not more than \$1,000,000, as are necessary for the acquisition of lands and interests in lands and for development in accordance with the provisions of this Act.

The SPEAKER. Is a second demanded?

Mr. SKUBITZ. Mr. Speaker, I demand a second.

The SPEAKER. Without objection, a second will be considered as ordered.

There was no objection.

Mr. TAYLOR. Mr. Speaker, I yield such time as he may consume to the chairman of the House Committee on Interior and Insular Affairs, the honorable gentleman from Colorado [WAYNE ASPINALL].

(Mr. ASPINALL asked and was given permission to revise and extend his remarks.)

Mr. ASPINALL. Mr. Speaker, this bill and the two other bills that will follow come out of the Committee on Interior and Insular Affairs without any objection.

This bill, Mr. Speaker, is to provide for part of our national park system which is made up of a wide variety of areas which appeal to a wide variety of interests and tastes. Some of these areas—the national park proper, for instance—have been set aside primarily because of their great scenic beauty and natural wonders. Others, including many of our national monuments, are principally important because of their scientific or archeological importance. Still others, like most of our national seashores and lakeshores, are dedicated to outdoor recreation. And a fourth category, made of the national historic sites, national historical parks, national battlefields, and the like, appeals most of all to those of us who are intrigued with our country's history and who are not satisfied merely to read about it in books but wish to see some of the places intimately associated with it preserved so that we and those who come after us may visit and, in a sense, relive history on the very spots on which it took place. These areas, if I may put it this way, are little islands of history in our contemporary world.

The bill with which we are concerned now, H.R. 182, deals with just such a little island of history as this. It proposes the acquisition of two tracts of land—one comprising 14 acres, the other 4 acres—for addition to the Petersburg National Battlefield, Va. This national battlefield was first denominated a national military park when it was created in 1926. It was then administered by the War Department, but it was transferred to the Department of the Interior for administration in 1933. It currently attracts nearly 1,200,000 visitors a year.

Appomattox Manor, the name by which the land to be acquired is commonly known, is intimately connected with the remainder of the area in the national battlefield although it is about 5 miles distant from it. It was General Grant's headquarters during the campaign at Petersburg and President Lincoln had his office there during 2 of the last 3 weeks of his life.

In addition to being important during the Civil War, Appomattox Manor had a long history before that time. It was part of a land grant made in 1635 by King Charles I to Capt. Francis Eppes. The main house on the land is over 200 years old and the outbuildings—a kitchen, dairy house, and smokehouse—date from 50 years earlier than this.

The ownership of Appomattox Manor

is divided between a life tenant and her brother who is the remainderman. Neither of these parties, however, is actually living in the house. The life tenant wishes to sell her interest, the remainderman does not wish to sell his. The author of the bill has advised us that, notwithstanding this situation, he is enthusiastically in favor of his bill.

The National Park Service has estimated at \$478,000 the cost of acquiring Appomattox Manor and at \$548,000 the cost of constructing a parking area, administrative facilities and so forth, and for essential rehabilitation and repair work. Our committee does not necessarily endorse either of these figures individually but it believes that expenditure of \$1,000,000 for both combined is not out of line. An amendment proposed by the committee limits the amount authorized to be appropriated to this amount.

Mr. Speaker, my colleagues who will follow me will go into more detail about the bill than I have. It is enough at this time for me to say that I strongly recommend passage of H.R. 182.

Mr. SKUBITZ. Mr. Speaker, I yield myself such time as I may require.

(Mr. SKUBITZ asked and was given permission to revise and extend his remarks.)

Mr. SKUBITZ. Mr. Speaker, I rise in support of H.R. 182, a bill to authorize the Secretary of the Interior to acquire Appomattox Manor, a historic property in Hopewell, Va., and to provide for an addition to and a revision of the boundaries of the battlefield and for other purposes.

H.R. 182, provides for the acquisition of Appomattox Manor, consisting of approximately 18 acres located on the banks of the Appomattox and James Rivers in the town of Hopewell, Va. This property is part of the original land grant made by King Charles I to Capt. Francis Eppes in 1635. The property has been continuously owned by the Eppes family for 330 years.

The historical significance of this area goes as far back as the colonial and revolutionary days of this Nation. However, it was during the Civil War period of our history that Appomattox Manor achieved its greatest national significance. From June 15, 1864, to March 29, 1865, it served as the general headquarters for the Armies of the United States, sustaining the forces of Gen. Ulysses S. Grant against Gen. Robert E. Lee's Army of Northern Virginia. From March 24, 1965 to April 8, 1865, Appomattox Manor served as Executive Office of this Nation under President Abraham Lincoln.

The estimated costs of acquiring the manor house and surrounding acreage is \$478,000. The estimated costs of rehabilitation and development are \$548,000.

In addition, H.R. 182 provides for the conveyance of 258 acres and roads thereon to the Commonwealth of Virginia or any of its political subdivisions. These lands were acquired by donation for inclusion in the Petersburg National Battlefield and are no longer required or needed for park purposes. These lands are being conveyed subjected to the restricted use that their parklike character

Nov 4, 1967

HOUSE

13. APPROPRIATIONS.. The Appropriations Committee reported H. R. 13893, the foreign aid appropriation bill (H. Rept. 891). p. H14701
Rep. Mahon presented an outline of "the total reduction in the President's appropriations budget for all departments and agencies for the fiscal year 1968," and Rep. Arends commented on this. pp. H14588-9
14. FORESTRY. Passed over without prejudice S. 1136, to increase from \$2½ million to \$5 million the authorization for the survey of forest resources. p. H14590
Passed without amendment S. 219, to authorize the Secretary of Agriculture to sell certain land in Lander, Wyo. This bill will now be sent to the President. p. H14589
15. MILK. Passed without amendment S. 2179, to extend from Dec. 31, 1967, to Dec. 31, 1970, the special milk program for the Armed Forces and veterans' hospitals. This bill will now be sent to the President. H. R. 11161, a similar bill, was tabled. p. H14590
16. VEHICLES. The Government Operations Committee reported with amendment H. R. 10085, to authorize GSA to prescribe regulations for the use by executive agencies of air-conditioning units in Government-owned passenger motor vehicles (H. Rept. 889). p. H14701
17. PROCUREMENT. The Government Operations Committee reported with amendment H. R. 12510, to establish a Commission on Government Procurement (H. Rept. 890). p. H14710
18. FOREIGN AFFAIRS. Passed over without prejudice H. R. 470, to authorize the construction of a toll bridge across the Rio Grande River near Pharr, Tex. p. H14590
19. TOBACCO. Reps. Carter and Snyder objected to the consideration of H. R. 13653, to authorize lease of certain tobacco allotments (p. H14595), and Rep. Wampler commended the bill and expressed regret over the objections (pp. H14594-5)
20. POVERTY. Several Representatives spoke on the pros and cons of the poverty program (pp. H14643-5, H14652-3, H14659, H14672-4, H14670-83, H14689, H14697-9), and Rep. Morris submitted a proposed amendment to S. 2388, the pending poverty bill, to allow eligible persons to choose their own attorneys from among those participating in the poverty program (pp. H14695).
As reported, the bill amends the provisions regarding Farmers Home Administration loans so as to (1) make the elderly eligible and (2) calculate the \$3,500 limit (on the amount outstanding for any one borrower) on the basis of principle (rather than on the basis of principal and interest). The bill also prohibits extension of benefits of the Economic Opportunity Act to the "voluntary poor," requires OEO to establish closer ties with other agencies at all levels of government, extends the authorization to include the fiscal year 1969 (with the limitation that the amounts appropriated for the fiscal year 1969 not exceed the amounts authorized to be appropriated for the fiscal year 1968), and makes various amendments to the provisions regarding the Job Corps, community action agencies, and VISTA volunteers.

21. FOOD AID. Both Houses received the President's report on food aid programs during the calendar year 1966 (H. Doc. 179), pp. H14631-2, S15791-2
Rep. Schadeberg commended the American Feed Manufacturers Assoc. for its accomplishments in "preparing for the world's population explosion" and inserted an article on the subject. pp. H14653-6
22. PEANUTS. Passed under suspension of the rules H. R. 11565, to authorize the transfer of peanut acreage allotments. pp. H14596-9
23. PRODUCT SAFETY. Passed under suspension of the rules S. J. Res. 33, to establish a National Commission on Product Safety. pp. H14599-604, H14659
24. ANIMAL DRUGS. Passed under suspension of the rules H. R. 3639, to protect the public health by amending the Federal Food, Drug, and Cosmetic Act to consolidate certain provisions assuring the safety and effectiveness of new animal drugs. pp. H14604-14
25. COPYRIGHT. Passed under suspension of the rules S. J. Res. 114, extending copyright protection in certain cases. pp. H14617-19
26. COOPERATIVES. Rep. O'Hara, Ill., commended the Hyde Park Co-op, stated that its pattern would succeed in most neighborhoods, and inserted supporting articles. pp. H14635-7
27. FLOOD INSURANCE. Rep. Wyatt spoke in support of the flood insurance bill. p. H14637
28. FARM PROGRAM. Rep. Zwach inserted an article, "NFO Meets: 35,400 Farmers Come To Demonstrate," telling of a gathering at Des Moines, Iowa, under the auspices of the National Farmers Organization. pp. H14640-1
Rep. Zwach saluted the National Grange upon the celebration of its 100th anniversary this year. p. H14641
29. FARM LOANS. Rep. Shipley commended the Farmers Home Administration as "one of the truly remarkable programs carried on by the Federal Government." pp. H14695-8
30. JOB CORPS. Rep. Hathaway inserted two letters praising the Job Corps. pp. H14687-8
31. MANPOWER. Rep. Henderson cited examples of improved manpower management in the Government. p. H14685
32. ELECTRIFICATION. Rep. Hathaway urged the House to reconsider its position and vote the necessary funds for the Dickey Lincoln project, and inserted several articles on this subject. pp. H14683-4, H14688-9
33. OMBUDSMAN. Rep. Reuss stated that interest in establishing an American ombudsman at various levels of government continues to increase, and inserted his speech on this subject. pp. H14670-2
34. EXPENDITURES. Rep. Smith, Okla., urged support for Rep. Denney's bill which would require the Budget Bureau to submit to Congress before the 15th day of each month an adjusted estimate of anticipated revenues and expenditures. p. H14652

Many of the producers of burley tobacco live on small mountain farms. With the ever-increasing shortage of farm labor, producers of tobacco are having difficulty finding competent labor to help tend their crops. This is particularly true where the producers of the tobacco are elderly or infirmed—with many of these unable to produce a crop at all.

This legislation would have enabled producers of burley tobacco to lease their allotment for a period of time not to exceed 5 years. It also provided that the allotment would remain with the lessor for the purpose of determining the base allotment.

Mr. Speaker, I believe this legislation would be of great help to many of our small tobacco farmers.

TOBACCO ALLOTMENT LEASE AND TRANSFER

The Clerk called the bill (H.R. 13653) to amend the tobacco marketing quota provisions of the Agricultural Adjustment Act of 1938, as amended.

The SPEAKER. Is there objection to the present consideration of the bill?

Mr. CARTER. Mr. Speaker, I object.

Mr. SNYDER. Mr. Speaker, I object.

The SPEAKER. Objection is heard.

AMENDING SECTION 319 OF THE IMMIGRATION AND NATIONALITY ACT TO PERMIT NATURALIZATION FOR CERTAIN EMPLOYEES OF U.S. NONPROFIT ORGANIZATIONS ENGAGED IN DISSEMINATING INFORMATION WHICH SIGNIFICANTLY PROMOTES U.S. INTEREST, AND FOR OTHER PURPOSES

The Clerk called the bill (H.R. 2138), to amend section 319 of the Immigration and Nationality Act to permit naturalization for certain employees of United States nonprofit organizations engaged in disseminating information which significantly promotes United States interest, and for other purposes.

There being no objection, the Clerk read the bill, as follows:

H.R. 2138

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That (a) section 319 of the Immigration and Nationality Act (66 Stat. 244) is amended by adding a new subsection (c) to read as follows:

"(c) Any person who (1) is employed by a bona fide United States incorporated nonprofit organization which is principally engaged in conducting abroad through communications media the dissemination of information which significantly promotes United States interests abroad and which is recognized as such by the Attorney General, and (2) has been so employed continuously for a period of not less than five years after a lawful admission for permanent residence, and (3) who files his petition for naturalization while so employed or within six months following the termination thereof, and (4) who is in the United States at the time of naturalization, and (5) who declares before the naturalization court in good faith an intention to take up residence within the United States immediately upon termination of such employment, may be naturalized upon compliance with all the requirements of this Act except that no prior resi-

dence or specified period of physical presence within the United States or any State or within the jurisdiction of the court, or proof thereof, shall be required."

(b) The title preceding section 319 is amended to read as follows: "MARRIED PERSONS AND EMPLOYEES OF CERTAIN NONPROFIT ORGANIZATIONS".

(c) The table of contents (Title III—Nationality and Naturalization, ch. 2) of the Immigration and Nationality Act is amended by changing the designation of section 319 to read as follows:

"Sec. 319. Married persons and employees of certain nonprofit organizations."

With the following committee amendment:

On page 2, line 13, after the words "requirements of this" strike out the word "Act" and substitute in lieu thereof the word "title".

AMENDMENT TO COMMITTEE AMENDMENT OFFERED BY MR. DOWDY

Mr. DOWDY. Mr. Speaker, I offer an amendment to the committee amendment.

The Clerk read as follows:

Amendment to the committee amendment offered by Mr. Dowdy: Strike out the word "title" and substitute in lieu thereof the word "Title".

The amendment to the committee amendment was agreed to.

The committee amendment, as amended, was agreed to.

(Mr. MOORE asked and was given permission to extend his remarks at this point in the RECORD.)

Mr. MOORE. Mr. Speaker, the purpose of this bill (H.R. 2138) is to permit the naturalization of certain aliens who meet the conditions precedent—the principal one being five years of employment abroad, after a lawful admission to the United States for permanent residence, with an organization of the communications media—disseminating information.

Certain employees of U.S. nonprofit organizations—particularly Radio Liberty and Radio Free Europe—although admitted to the United States for permanent residence have been necessarily, regularly stationed abroad in their employment and thus are unable to meet the physical presence requirements and in some cases the residence requirement for naturalization.

Most of the beneficiaries of the bill are anti-Communist exiles from countries now under Communist rule. They cannot either safely or in good conscience return to their native countries. They choose to live in freedom, and they wish to become American citizens. All have at some time in the past established residence in the United States, and hold reentry permits. Their dearest wish is to become American citizens, and most especially to facilitate their children becoming citizens, so the children can have an American education and be completely American. Although they are, for the best of reasons, working abroad, they avidly take advantage of opportunities to send their young children to American schools. Typically, the children speak unaccented, colloquial English and their parents are proud of it. It should not be overlooked that these people are select people, and their children are potentially a prime asset to the American way of life.

Among these individuals are former ambassadors, diplomats, parliamentarians, academicians, professional people, writers, editors, businessmen—people of great talent and proven ability, who would be able in America to make a real contribution to society—indeed, their contribution is already notable in their present work.

This bill considers the period of employment abroad by specified organizations as constructive residence and constructive physical presence in the United States. The employees of these quasi-governmental organizations will enjoy the same special benefits that U.S. Government employees, ministers and priests engaged in religious activities, and seamen employed aboard American-flag carriers now enjoy.

This bill is concerned only with the residence requirement for naturalization. Any person benefiting from this bill, must have been lawfully admitted for permanent residence in accordance with all provisions of law, and must satisfy all naturalization requirements, including good moral character and attachment to the principles of the Constitution.

I recommend passage of the bill.

Mr. RODINO. Mr. Speaker, it is a great pleasure to speak in support of the legislation I have introduced. H.R. 2130, which is before us now for action.

This measure will benefit persons employed by bona fide U.S. nonprofit organizations, such as Radio Free Europe and Radio Liberty, engaged abroad in disseminating information which significantly promotes U.S. interests. Because of their employment overseas, employees of these organizations have been unable to satisfy the physical presence requirements necessary for naturalization. Under H.R. 2138 the aliens to benefit must first be admitted into the United States for permanent residence and then have worked for such organizations for at least 5 years. In all other respects they must comply with provisions of our immigration and naturalization laws.

Because of their dedication the people to benefit from H.R. 2138 have sacrificed the opportunity to remain in the United States and become citizens in order to serve the nation abroad in anti-Communist endeavors. These people are, by every standard, American in thought, devotion, and allegiance, and they are especially mindful of the future of their children. They have escaped from Communist countries and have rededicated their lives to combatting it.

Mr. Speaker, I first introduced this legislation in January 1965, after I had visited the facilities of Radio Free Europe and Radio Liberty in Munich, Germany, in 1964. At that time I had an opportunity to talk with employees of both organizations as well as an opportunity to evaluate their contributions to the interests of the United States. With this firsthand, on-the-scene appraisal of what was being accomplished, I became firmly convinced that legislation which would consider their employment overseas with these organizations as constructive residence for immigration purposes would be both in the spirit of recognizing their service to the United States abroad and in the interest of the United States.

The people who would be beneficiaries of this legislation have held important positions in many fields in their native lands. They are former diplomats, lawyers, economists, writers, and editors.

Mr. Speaker, enactment of H.R. 2138 is essential as a matter of simple justice, and it would benefit our country by giving us as new citizens dedicated and highly capable individuals who are promoting our interests and ideals abroad. I urge the approval of this long needed measure.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

The SPEAKER. This concludes the call of the Consent Calendar.

TRANSFER OF PEANUT ACREAGE ALLOTMENTS

Mr. O'NEAL of Georgia. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 11565) to amend section 358 of the Agricultural Adjustment Act of 1938, as amended, to authorize the transfer of peanut acreage allotments.

The Clerk read as follows:

H.R. 11565

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Agricultural Adjustment Act of 1938, as amended, is amended by adding after section 358 the following new section:

"Sec. 358a. (a) Notwithstanding any other provision of law for the 1968 and 1969 crop years, the Secretary, if he determines that it will not impair the effective operation of the peanut marketing quota or price-support program, (1) may permit the owner and operator of any farm for which a peanut acreage allotment is established under this Act to sell or lease all or any part or the right to all or any part of such allotment to any other owner or operator of a farm in the same county for transfer to such farm; and (2) may permit the owner of a farm to transfer all or any part of such allotment to any other farm owned or controlled by him.

"(b) Transfers under this section shall be subject to the following conditions: (1) no allotment shall be transferred to a farm in another county; (2) no transfer of an allotment from a farm subject to a mortgage or other lien shall be permitted unless the transfer is agreed to by the lienholders; (3) no sale of a farm allotment from a farm shall be permitted if any sale of allotment to the same farm has been made within the three immediately preceding crop years; (4) no transfer of allotment shall be effective until a record thereof is filed with the county committee of the county in which such transfer is made and such committee determines that the transfer complies with the provisions of this section; and (5) if the normal yield established by the county committee for the farm to which the allotment is transferred does not exceed the normal yield established by the county committee for the farm from which the allotment is transferred by more than 10 per centum, the lease or sale and transfer shall be approved acre for acre, but if the normal yield for the farm to which the allotment is transferred exceeds the normal yield for the farm from which the allotment is transferred by more than 10 per centum, the county committee shall make a downward adjustment in the amount of the acreage allotment transferred by multiplying the normal yield established for the farm from

which the allotment is transferred by the acreage being transferred and dividing the result by the normal yield established for the farm to which the allotment is transferred: *Provided*, That in the event an allotment is transferred to a farm which at the time of such transfer is not irrigated, but within five years subsequent to such transfer is placed under irrigation, the Secretary shall also make an annual downward adjustment in the allotment so transferred by multiplying the normal yield established for the farm from which the allotment is transferred by the acreage being transferred and dividing the result by the actual yield for the previous year, adjusted for abnormal weather conditions, on the farm to which the allotment is transferred: *Provided further*, That, notwithstanding any other provision of this Act, the adjustment made in any peanut allotment because of the transfer to a higher producing farm shall not reduce or increase the size of any future National or State allotment and an acreage equal to the total of all such adjustments shall not be allotted to any other farms.

"(c) The transfer of an allotment shall have the effect of transferring also the acreage history and marketing quota attributable to such allotment and if the transfer is made prior to the determination of the allotment for any year the transfer shall include the right of the owner or operator to have an allotment determined for the farm for such year: *Provided*, That in the case of a transfer by lease the amount of the allotment shall be considered, for the purpose of determining allotments after the expiration of the lease, to have been planted on the farm from which such allotment is transferred.

"(d) The land in the farm from which the entire peanut allotment has been transferred shall not be eligible for a new farm peanut allotment during the five years following the year in which such transfer is made.

"(e) Any lease may be made for such term of years not to exceed five as the parties thereto agree, and on such other terms and conditions except as otherwise provided in this section as the parties thereto agree.

"(f) The lease of any part of a peanut acreage allotment determined for a farm shall not affect the allotment for the farm from which such allotment is transferred or the farm to which it is transferred, except with respect to the crop year or years specified in the lease. The amount of the acreage allotment which is leased from a farm shall be considered for purposes of determining future allotments to have been planted to peanuts on the farm from which such allotment is leased and the production pursuant to the lease shall not be taken into account in establishing allotments for subsequent years for the farm to which such allotment is leased. The lessor shall be considered to have been engaged in the production of peanuts for purposes of eligibility to vote in the referendum.

"(g) The Secretary shall prescribe regulations for the administration of this section which may include reasonable limitation on the size of the resulting allotments on farms to which transfers are made and such other terms and conditions as he deems necessary, but the total peanut allotment transferred to any farm by sale or lease shall not exceed fifty acres.

"(h) If the sale or transfer occurs during a period in which the farm is covered by a conservation reserve contract, cropland conversion agreement, or other similar land utilization agreement the rates of payment provided for in the contract or agreement of the farm from which the transfer is made shall be subject to an appropriate adjustment, but no adjustment shall be made in the contract or agreement of the farm to which the transfer is made."

The SPEAKER. Is a second demanded?

Mr. GROSS. Mr. Speaker, I demand a second.

The SPEAKER. Without objection, a second will be considered as ordered.

There was no objection.

The SPEAKER. The gentleman from Georgia is recognized for 20 minutes.

(Mr. O'NEAL of Georgia asked and was given permission to revise and extend his remarks.)

Mr. O'NEAL of Georgia. Mr. Speaker, this bill has been previously debated, but it turned on a point that was not directly related to the bill itself. The Members will recall that several weeks ago we had the bill up, but the opponents of the bill saw fit to confine their objections to a matter related to food stamps rather than the bill itself.

I personally regret that the gentleman has seen fit to demand a second, but it does give me an opportunity again to outline the bill to the House.

Mr. Speaker, the purpose of H.R. 11565 is to authorize the sale, lease, or transfer of peanut acreage allotments among farms within the same county.

Enactment of the bill would not result in any additional cost to the Federal Government, but it would serve to improve program operations for peanut farmers. It has the blessings of the Department of Agriculture, the Bureau of the Budget, and the House Committee on Agriculture.

This legislation is needed primarily to permit farmers to increase the size of their allotment in order to realize a more reasonable return on their considerable investments.

There are many peanut acreage allotments too small to constitute an economic unit in view of rising costs of producing and harvesting the crop. The Department of Agriculture reports that in 1964—the last year for which complete statistics are available—more than one-fourth of all peanut allotments were 5 acres or less and more than one-half were 10 acres or less. This year the average size of established allotments is approximately 17.9 acres.

The problem of small allotments becomes more serious each year as the cost per acre to produce peanuts continues to rise steadily. A farmer with an allotment of 5 acres must use the same type expensive equipment, herbicides, and improved methods of cultivation as a farmer with 100 acres.

Allowing farmers to transfer peanut acreage allotments would permit the establishment of more economic-sized units of production. This in turn would result in more efficient production on individual farms and for the industry as a whole.

Small but capable and efficient farmers could increase their acreage of peanuts while others, who wish to discontinue growing peanuts, could transfer their resources to other crops, or retire from peanut production entirely and still receive remuneration.

Another very important benefit of the bill is that it would allow a new grower to acquire an allotment even though the national allotment is not increased by

1 acre. At present there is little or no opportunity for a young man who decides on a career in farming or a sharecropper who has long dreamed of the day he could own a farm because they were not fortunate enough to meet the requirements for a peanut acreage allotment in 1949 when they were reestablished after World War II. This legislation would permit a new grower to obtain an allotment up to 50 acres through lease or outright purchase.

In essence, this legislation will put peanut production in the hands of those who want to grow peanuts while at the same time it guards against any geographical switch in peanut production which could conceivably damage the economy of many counties.

The committee felt that the authority to lease, sell, or transfer peanut acreage allotments should be accompanied by language in the legislation which would guard against any speculation or overproduction which might otherwise result from this new authority. Therefore, the following conditions are set forth in the legislation:

First. Under no condition may allotments be transferred across county lines.

Second. No allotment may be transferred from a farm subject to a mortgage or lien unless the transfer is agreed to by the lienholders.

Third. No sale of a farm allotment from a farm shall be permitted if any sale of allotment to the same farm has been made within the three immediately preceding crop years.

Fourth. No transfer of allotment shall be effective until a record thereof is filed with the county committee of the county in which the transfer is made and until the county committee determines that the transfer complies with the provisions of the law.

Fifth. If there is not more than a 10-percent difference in production per acre, transfers shall be on the basis of acre for acre; however, in cases where the transferred acreage goes to a farm where the production per acre exceeds that of the transferred acreage by more than 10 percent, there shall be a corresponding downward adjustment in the amount of acreage transferred to assure that no overproduction would result from the transfer.

Sixth. Where an allotment is transferred to a farm which at the present time is not irrigated but which within 5 years places the transferred allotment under irrigation, the Secretary of Agriculture shall then make a downward adjustment in the amount of acreage transferred to assure that there would be no increased production as a result of irrigating the transferred acreage.

Seventh. The land on the farm from which the entire peanut allotment has been transferred shall not be eligible for a new farm peanut allotment during the 5 years following the year in which such transfer is made.

Eighth. Leases of any portion of a peanut allotment shall not exceed 5 years.

Ninth. The total peanut allotment transferred to any farm by sale or lease shall not exceed 50 acres or any lesser amount prescribed by the Secretary.

Peanut farming has undergone very great changes in recent years.

When the present allotments were required in 1949, nearly all of the harvesting was done by hand labor using pitchforks to pile the newly plowed vines and nuts in stacks, so that the wind and sunshine would dry them in a process that might take many weeks.

Now the labor is scarce and the stacks are nonexistent.

Virtually every peanut farmer in America uses a windrow process that requires expensive machinery, and as a result an investment is required of many thousands of dollars.

The same allotment useful to the farm with labor in the family or nearby is "gone with the wind."

The farmer either has to buy this machinery himself or pay someone else who has bought the machinery.

So, he has virtually the same cost of harvesting 20 acres as he would 50 acres.

If this bill becomes law, it will not cause an increase in production. Extreme care has been taken to write in it language that will not cause it, but it will bring about a general reduction in costs per acre.

It will not affect the national volume, but it will permit a net profit to the individual farmer by merely reducing his cost per acre.

Many of these allotments are held by people who have inherited them with the land, but who do not farm them. They rent out the land and the allotment to active farmers who buy the big machines but who have no security because of changing whims of landlords affected by changing agriculture programs such as soil bank and cropland adjustment programs.

This will enable this man who was born 20 years too late to buy into his security by owning the allotment along with the machinery he has to invest in.

The provisions of this bill are virtually parallel with those of a bill permitting the sale and lease of cotton allotments—passed in 1965 by the 89th Congress.

And parallel with the provisions of a bill passed this year by the 90th Congress with reference to two or three types of tobacco.

The only difference is that this bill regarding peanuts is more restrictive—the committee recognizing clearly that the problems of commodities are different.

Mr. STUCKEY. Mr. Speaker, will the gentleman yield?

Mr. O'NEAL of Georgia. I yield to the gentleman.

(Mr. STUCKEY asked and was given permission to revise and extend his remarks.)

Mr. STUCKEY. Mr. Speaker, I would like to take just a few minutes today to address my colleagues.

We have under discussion here today, legislation which importantly affects not only the people of my State and Eighth Congressional District, but also our entire Nation. Since the district which I represent is directly affected, I believe that it is my duty and responsibility to speak in behalf of this legislation, H.R. 11565, the purpose of which is to authorize during the 1968 and 1969 crop-years

the intracounty lease, sale, and transfer of acreage allotment for peanuts among farmers.

Now, Mr. Speaker, as was pointed out in the hearings on this bill before the Agriculture Committee, the reestablishment of the peanut acreage allotments in 1949 brought in many producers who had only begun growing peanuts during the time when allotments had not been in effect. The entrance into the program of these producers created many small and inefficient allotments. I believe that the measure which we are taking up here today will make it possible for many producers to acquire enough peanut acreage to grow peanuts on a more sound economic basis. And, it will make it possible for those growers who do not want to continue growing peanuts, to transfer their resources to other crops, or to discontinue peanut production entirely without having to take a loss on their crop.

As has been done in the case of cotton, Mr. Speaker, I believe that we must act today to enable the peanut grower to be able to lease, sale, or transfer his peanut acreage allotment within his county.

This bill which we have under consideration will provide for more efficient production of a commodity which is extremely valuable to our country, especially during this time when we are involved in the war in Vietnam. The transferring of peanut allotments will permit the establishment of more economic-sized units of production which will in turn result in more efficient production on individual farms and for the industry as a whole.

We have seen in my Eighth Congressional District where small but efficient farms could increase their acreage of peanuts without incurring the heavy cost involved in buying additional land which they often do not need should this bill be passed here today.

Under the present law, Mr. Speaker, the peanut grower is unnecessarily penalized. This situation must be remedied. It had seemed to me that the best method of alleviating this problem would have been to allow the transfer of peanut acreage allotments across county lines. Personally, I can see the need for this right in my own district. But, this is not the case of the bill which has been brought to the floor today by the committee. But, I believe that if we are not going to have the opportunity to completely alleviate the unfair restrictions on our peanut growers, then we should at least act favorably on this bill before us today which will not require additional funds, but which will be of great benefit to our peanut growers and to our economy as a whole.

Mr. ANDREWS of Alabama. Mr. Speaker, will the gentleman yield?

Mr. O'NEAL of Georgia. I yield to the gentleman from Alabama.

(Mr. ANDREWS of Alabama asked and was given permission to revise and extend his remarks.)

Mr. ANDREWS of Alabama. Mr. Speaker, I wish to commend the distinguished gentleman from Georgia [Mr. O'NEAL] for bringing to the floor of the

House and presenting for its consideration this peanut acreage allotment bill in behalf of the peanut-producing farmers of this country.

Mr. Speaker, I rise in support of the bill, and hope that the bill is passed.

Mr. O'NEAL of Georgia. Mr. Speaker, the peanut farmers of this country need this bill very badly. Insofar as I know it is acceptable to all geographical areas and to all people interested in peanut production. It will not cost this Government a single dime. It is designed to avoid any possible increase in peanut production.

Mr. Speaker, I reserve the balance of my time.

Mr. GROSS. Mr. Speaker, I yield such time as he may consume to the gentleman from California [Mr. TEAGUE].

(Mr. TEAGUE of California asked and was given permission to revise and extend his remarks.)

Mr. TEAGUE of California. Mr. Speaker, this bill has been very accurately and fully described by the gentleman from Georgia [Mr. O'NEAL]. I just rise to point out the fact that the bill did come out of the Committee on Agriculture by a unanimous vote, as I recall. Therefore, Mr. Speaker, I recommend that it be passed.

Mr. GROSS. Mr. Speaker, I have no further requests for time.

The SPEAKER pro tempore (Mr. ALBERT). The question is on the motion of the gentleman from Georgia that the House suspend the rules and pass the bill H.R. 11565.

The question was taken.

Mr. WOLFF. Mr. Speaker, I object to the vote on the ground that a quorum is not present and make the point of order that a quorum is not present.

The SPEAKER pro tempore. Evidently a quorum is not present.

The Doorkeeper will close the doors, the Sergeant at Arms will notify absent Members, and the Clerk will call the roll.

The question was taken; and there were—yeas 255, nays 57, not voting 120, as follows:

[Roll No. 362]

YEAS—255

Abritt	Bush	Fallon
Albert	Byrnes, Wis.	Farbstein
Anderson, Ill.	Cabell	Fascell
Anderson, Tenn.	Carey	Feighan
Andrews, Ala.	Carter	Fisher
Arends	Cederberg	Flynt
Ashbrook	Celler	Foley
Ashmore	Chamberlain	Fraser
Aspinall	Ciancy	Friedel
Ayres	Clausen,	Fuqua
Baring	Don H.	Galifianakis
Battin	Clawson, Del	Garmatz
Belcher	Cohelan	Gathings
Bennett	Colmer	Gettys
Berry	Corbett	Gibbons
Betts	Cunningham	Gilbert
Bevill	Daddario	Gonzalez
Biester	Davis, Ga.	Goodell
Bingham	Davis, Wis.	Griffiths
Bianton	Dawson	Gross
Boland	Denney	Gude
Boiling	Devine	Gurney
Bolton	Dickinson	Haley
Bow	Dingell	Hall
Brinkley	Dole	Hamilton
Brooks	Donohue	Hammer-
Brown, Calif.	Dorn	schmidt
Broyhill, N.C.	Dowdy	Hanley
Broyhill, Va.	Downing	Hanna
Buchanan	Duncan	Hansen, Idaho
Burke, Fla.	Eckhardt	Harrison
Burke, Mass.	Edwards, Ala.	Harsha
Burton, Calif.	Edwards, La.	Harvey
Burton, Utah	Evans, Colo.	Hathaway
	Evins, Tenn.	Hawkins

Hechler, W. Va.	May	Rogers, Colo.	Pettis	Saylor	Watkins
Helstoski	Mayne	Rooney, N.Y.	Pool	Skubitz	Watson
Henderson	Meeds	Rosenthal	Quillen	Smith, Calif.	Watts
Hicks	Miller, Ohio	Roudebush	Resnick	Smith, N.Y.	Whitten
Hollifield	Mills	Roush	Rhodes, Ariz.	Steed	Wiggins
Holland	Mink	Royal	Rhodes, Pa.	Stephens	Williams, Miss.
Hungate	Minshall	Satterfield	Rogers, Fla.	Stratton	Willis
Hunt	Montgomery	Schadeberg	Ronan	Stubblefield	Wilson,
Hutchinson	Moore	Scherie	Rooney, Pa.	Taft	Charles H.
Ichord	Moorhead	Scott	Rostenkowski	Teague, Tex.	Wright
Irwin	Morris, N. Mex.	Seiden	Ruppe	Tenzer	Wyder
Jarman	Morton	Shipley	Sandman	Thompson, N.J.	
Johnson, Calif.	Moss	Shriver	St. Onge	Utt	
Johnson, Pa.	Murphy, Ill.	Sikes			
Jonas	Murphy, N.Y.	Sisk			
Jones, Ala.	Myers	Slack			
Jones, N.C.	Natcher	Smith, Iowa			
Karsten	Nichols	Smith, Okla.			
Kastenmeier	O'Hara, Ill.	Snyder			
Kazen	O'Hara, Mich.	Stafford			
Kee	O'Konski	Staggers			
Keith	Olsen	Stanton			
King, Calif.	O'Neal, Ga.	Steiger, Ariz.			
Kirwan	Ottinger	Stuckey			
Kleppe	Passman	Talcott			
Kornegay	Patman	Taylor			
Kupferman	Patten	Teague, Calif.			
Kuykendall	Perkins	Thompson, Ga.			
Kyl	Philbin	Thomson, Wis.			
Kyros	Pickie	Tuck			
Laird	Pirnie	Tunney			
Letta	Poage	Udall			
Leggett	Poff	Ullman			
Lennon	Pollock	Van Deerlin			
Lipscomb	Price, Ill.	Vander Jagt			
Long, Md.	Price, Tex.	Vigorito			
Lukens	Pryor	Waggoner			
McClure	Pucinski	Walde			
McCulloch	Purcell	Walker			
McDonald, Mich.	Railsback	Wampler			
McEwen	Randall	Whalen			
McFall	Rarick	White			
Macdonald, Mass.	Rees	Whitener			
Machen	Reid, Ill.	Williams, Pa.			
Mahon	Reilef	Winn			
Maillard	Reinecke	Wolff			
Marsh	Reuss	Wyatt			
Martin	Riegle	Wylie			
Mathias, Calif.	Rivers	Young			
Matsunaga	Roberts	Zablocki			
	Robison	Zion			

NAYS—57

Andrews, N. Dak.	Frelinghuysen	Ryan
Ashley	Fulton, Pa.	St Germain
Bates	Goodling	Scheuer
Bell	Heckler, Mass.	Schneebeli
Bray	Hosmer	Schweikert
Brotzman	Joelson	Schwengel
Brown, Mich.	Langen	Springer
Cahill	Lloyd	Steiger, Wis.
Cleveland	McClory	Sullivan
Collier	McDade	Tiernan
Conte	MacGregor	Vanik
Conyers	Meskill	Whaley
Dellenback	Mize	Widnail
Edwards, Calif.	Morse, Mass.	Wilson, Bob
Erlenborn	Nedzi	Wyman
Esch	Nelsen	Yates
Eshleman	Quie	Zwach
Findley	Reid, N.Y.	
Ford, William D.	Roth	
	Rumsfeld	

NOT VOTING—120

Abernethy	Dent	Hébert
Adair	Derwinski	Herlong
Adams	Diggs	Horton
Addabbo	Dow	Howard
Annunzio	Duiskl	Hull
Barrett	Dwyer	Jacobs
Blackburn	Edmondson	Jones, Mo.
Blatnik	Elberg	Karth
Boggs	Everett	Kelly
Brademas	Fino	King, N.Y.
Brasco	Flood	Kluczynski
Brock	Ford, Gerald R.	Landrum
Broomfield	Fountain	Long, La.
Brown, Ohio	Brown, Tenn.	McCarthy
Burleson	Gallagher	McMillian
Button	Gardner	Madden
Byrne, Pa.	Gialmo	Mathias, Md.
Casey	Gray	Michel
Clark	Green, Oreg.	Miller, Calif.
Conabie	Green, Pa.	Minish
Corman	Grover	Monagan
Cowger	Gubser	Morgan
Cramer	Hagan	Mosher
Culver	Halleck	Multer
Curtis	Halpern	Nix
Danielis	Hansen, Wash.	O'Neill, Mass.
de la Garza	Hardy	Petly
Delaney	Hays	Pepper

Pettis	Saylor	Watkins
Pool	Skubitz	Watson
Quillen	Smith, Calif.	Watts
Resnick	Smith, N.Y.	Whitten
Rhodes, Ariz.	Steed	Wiggins
Rhodes, Pa.	Stephens	Williams, Miss.
Rogers, Fla.	Stratton	Willis
Ronan	Stubblefield	Wilson,
Rooney, Pa.	Taft	Charles H.
Rostenkowski	Teague, Tex.	Wright
Ruppe	Tenzer	Wyder
Sandman	Thompson, N.J.	
St. Onge	Utt	

So (two-thirds having voted in favor thereof) the rules were suspended and the bill was passed.

The Clerk announced the following pairs:

On this vote:

Mr. Edmondson and Mr. Corman for, with Mr. Rogers of Florida against.

Mr. Pepper and Mr. Fountain for, with Mr. Bracco against.

Mr. Boggs and Mr. Landrum for, with Mr. Addabbo against.

Mr. Rhodes of Arizona and Mr. Watson for, with Mr. Barrett against.

Mr. Gardner and Mr. Hagan for, with Mrs. Dwyer, against.

Mr. Abernethy and Mr. Williams of Mississippi for, with Mr. Horton against.

Mr. Brock and Mr. Mathias of Maryland for, with Mr. Fino against.

Mr. Blackburn and Mr. Quillen for, with Mr. Halpern against.

Mr. Cramer and Mr. Gubser for, with Mr. Button against.

Mr. Cowger and Mr. Hardy for, with Mr. Watkins against.

Mr. Stephens and Mr. Whitten for, with Mr. Eilberg against.

Mr. Teague of Texas and Mr. Stubblefield for, with Mr. Nix against.

Mr. Long of Louisiana and Mr. Hébert for, with Mr. Minish against.

Mr. Steed and Mr. Herlong for, with Mr. Multer against.

Mr. McMillan and Mr. Watts for, with Mr. Charles H. Wilson against.

Mr. Skubitz and Mr. Pettis for, with Mr. Sandman against.

Mr. Everett and Mr. Fulton of Tennessee for, with Mr. St. Onge against.

Mr. Burleson and Mr. Hull for, with Mr. O'Neill of Massachusetts against.

Mr. Casey and Mr. Wright for, with Mrs. Kelly against.

Mr. Wiggins and Mr. Curtis for, with Mr. Broomfield against.

Mr. Pelly and Mr. Pool for, with Mr. Smith of California against.

Mr. Dulski and Mr. de la Garza for, with Mr. Utt against.

Until further notice:

Mr. Rooney of Pennsylvania with Mr. Ruppe.

Mr. Delaney with Mr. Adair.

Mr. Madden with Mr. Gerald R. Ford.

Mr. Flood with Mr. Halleck.

Mr. Brademas with Mr. Grover.

Mr. Annunzio with Mr. Wyder.

Mr. Blatnik with Mr. Taft.

Mr. Adams with Mr. Smith of New York.

Mr. Rostenkowski with Mr. Derwinski.

Mr. Dent with Mr. Saylor.

Mr. Daniels with Mr. Conable.

Mr. Culver with Mr. Brown of Ohio.

Mr. Clark with Mr. Mosher.

Mr. Gray with Mr. Michel.

Mr. Hays with Mr. King of New York.

Mr. Diggs with Mr. Resnick.

Mr. Rhodes of Pennsylvania with Mr. Tenzer.

Mr. Thompson of New Jersey with Mr. Karth.

Mrs. Hansen of Washington with Mr. Byrne of Pennsylvania.

Mrs. Kelly with Mr. Giaimo.

Mr. Green of Pennsylvania with Mr. Howard.

November 6, 1967

CONGRESSIONAL RECORD — HOUSE

H 14599

Mr. Stratton with Mr. Ronan.
Mr. Morgan with Mrs. Green of Oregon.
Mr. Miller of California with Mr. Jacobs.
Mr. Kluczynski with Mr. McCarthy.
Mr. Monagan with Mr. Gallagher.

Messrs. ASHLEY, SPRINGER, and BROTHMAN changed their votes from "yea" to "nay."

The result of the vote was announced as above recorded.

The doors were opened.

A motion to reconsider was laid on the table.

MESSAGE FROM THE PRESIDENT

A message in writing from the President of the United States was communicated to the House by Mr. Geisler, one of his secretaries, who also informed the House that on the following dates the President approved and signed bills of the House of the following titles.

On October 25, 1967:

H.R. 1674. An act for the relief of Frank I. Mellin, Jr.; and

H.R. 6189. An act for the relief of Fred W. Kolb, Jr.

On October 27, 1967:

H.R. 1572. An act for the relief of Mercedes De Toffoli;

H.R. 1653. An act for the relief of Omer Penner;

H.R. 2477. An act for the relief of John J. McGrath;

H.R. 6663. An act for the relief of Jesse W. Stutts, Jr.;

H.R. 6666. An act for the relief of Mrs. Marilyn Shorett;

H.R. 7324. An act for the relief of Dr. Alfredo F. Mendez, doctor of medicine; and

H.R. 8254. An act for the relief of Jan Drobot.

On October 31, 1967:

H.R. 1948. An act for the relief of Lim Ai Ran and Lim Soo Ran;

H.R. 1960. An act for the relief of Angelique Kousoulas;

H.R. 2464. An act for the relief of Yoo Young Hui, and her daughter, OK Young;

H.R. 2978. An act for the relief of Yong Ok Espantoso;

H.R. 3430. An act for the relief of Yim Mel Lam;

H.R. 3497. An act for the relief of Ramiro Velasquez Huerta;

H.R. 4534. An act for the relief of Mary Bernadette Linehan; and

H.R. 5216. An act for the relief of Roberto Martin Del Campo.

On November 2, 1967:

H.R. 11767. An act to authorize the Secretary of the Navy to adjust the legislative jurisdiction exercised by the United States over lands comprising the U.S. Naval Station, Long Beach, Calif.

On November 3, 1967:

H.R. 4772. An Act to authorize the Secretaries concerned to direct the initiation of allotments of the pay and allowances of certain members of the Armed Forces for the purpose of making deposits under section 1035 of title 10, United States Code;

H.R. 8718. An act to increase the annual Federal payment to the District of Columbia and to provide a method for computing the annual borrowing authority for the general fund of the District of Columbia; and

H.R. 9960. An act making appropriations for sundry independent executive bureaus, boards, commissions, corporations, agencies, offices, and the Department of Housing and Urban Development for the fiscal year ending June 30, 1968, and for other purposes.

On November 4, 1967:

H.R. 1499. An act to provide for the striking of medals in commemoration of the 300th anniversary of the explorations of Father

Jacques Marquette in what is now the United States of America.

H.R. 4903. An act to amend the act providing for the economic and social development in the Ryukyu Islands.

H.R. 10105. An act to provide for the striking of medals in commemoration of the 150th anniversary of the founding of the State of Mississippi.

H.R. 10160. An act to provide for the striking of medals in commemoration of the 50th anniversary of the founding of the American Legion.

H.R. 13212. An act to provide for the striking of medals in commemoration of the 200th anniversary of the founding of San Diego.

NATIONAL COMMISSION ON PRODUCT SAFETY

Mr. STAGGERS. Mr. Speaker, I move to suspend the rules and pass the joint resolution (S.J. Res. 33) to establish a National Commission on Product Safety, as amended.

The Clerk read as follows:

S.J. RES. 33

Whereas the American consumer has a right to be protected against unreasonable risk of bodily harm from products purchased on the open market for the use of himself and his family;

Whereas manufacturers whose products are marketed substantially in interstate commerce are entitled to a reasonable degree of uniformity in the application of safety regulations to such products;

Whereas it is desirable to establish a commission to review the scope, adequacy, and uniformity of existing voluntary self-regulation and Federal, State, and local law relating to consumer protection against such hazardous products; and

Whereas it is desirable for such commission to make recommendations at it deems appropriate for remedial action by the President, the Congress, the States, and private industry: Now, therefore, be it

Resolved by the Senate and House of Representatives of the United States of America in Congress Assembled, That (a) there is hereby established a National Commission on Product Safety (hereinafter referred to as the "Commission").

(b) The Commission shall be composed of seven members appointed by the President from among persons who are specially qualified to serve on such Commission by virtue of their education, training, or experience. Not more than four members of the Commission may be members of the same political party.

(c) Any vacancy in the Commission shall not affect its powers.

(d) The President shall designate one of the members to serve as Chairman and one to serve as Vice Chairman of the Commission.

(e) Four members of the Commission shall constitute a quorum.

DUTIES OF THE COMMISSION

Sec. 2. (a) The Commission shall conduct a comprehensive study and investigation of the scope and adequacy of measures now employed to protect consumers against unreasonable risk of injuries which may be caused by hazardous household products. Such study and investigation shall include consideration of the following:

(1) the identity of categories of household products, except such products excluded in section 6, which may present an unreasonable hazard to the health and safety of the consuming public;

(2) the extent to which self-regulation by industry affords such protection;

(3) the protection against such hazardous products afforded at common law in the States, including the relationship of product warranty to such protection; and

(4) a review of Federal, State, and local laws relating to the protection of consumers against categories of such hazardous products, including the scope of coverage, the effectiveness of sanctions, the adequacy of investigatory powers, the uniformity of application, and the quality of enforcement.

(b) As soon as practicable, the Commission shall publish in the Federal Register a list of the categories of household products which it proposes to study and investigate. The Commission shall afford an opportunity for any interested person to submit his views concerning any category of household product on the published list.

(c) The Commission may transmit to the President and to the Congress such interim reports as it deems advisable and shall transmit its final report to the President and to the Congress not later than two years from the date of approval of this joint resolution. Such final report shall contain a detailed statement of the findings and conclusions of the Commission together with its recommendations for such legislation as it deems appropriate.

POWERS OF THE COMMISSION

Sec. 3. (a) The Commission, or any two members thereof as authorized by the Commission, may conduct hearings anywhere in the United States or otherwise secure data and expressions of opinions pertinent to the study. The Commission shall publish notice of any proposed hearing in the Federal Register and shall afford a reasonable opportunity for interested persons to present relevant testimony and data. In connection therewith the Commission is authorized by majority vote—

(1) to require, by special or general orders, corporations, business firms, and individuals to submit in writing such reports and answers to questions as the Commission may prescribe; such submission shall be made within such reasonable period and under oath or otherwise as the Commission may determine;

(2) to administer oaths;

(3) to require by subpea the attendance and testimony of witnesses and the production of all documentary evidence relating to the execution of its duties;

(4) in the case of disobedience to a subpea or order issued under this subsection, to invoke the aid of any district court of the United States in requiring compliance with such subpea or order;

(5) in any proceeding or investigation to order testimony to be taken by deposition before any person who is designated by the Commission and has the power to administer oaths, and in such instances to compel testimony and the production of evidence in the same manner as authorized under paragraphs (3) and (4) of this subsection; and

(6) to pay witnesses the same fees and mileage as are paid in like circumstances in the courts of the United States.

(b) Any district court of the United States within the jurisdiction of which an inquiry is carried on may, in case of refusal to obey a subpea or order of the Commission issued under subsection (a) of this section, issue an order requiring compliance therewith; and any failure to obey the order of the court may be punished by the court as a contempt thereof.

(c) The Commission is authorized to require directly from the head of any Federal agency available information deemed useful in the discharge of its duties. Each Federal agency is authorized and directed to cooperate with the Commission and to furnish all information requested by the Commission to the extent permitted by law.

(c) The Commission is authorized to request from any department, agency, or independent instrumentality of the Government any information it deems necessary to carry out its functions under this joint resolution; and each such department, agency, or inde-

pendent instrumentality is authorized to cooperate with the Commission and, to the extent permitted by law, to furnish such information to the Commission upon request made by the Chairman or the Vice Chairman when acting as Chairman.

(d) The Commission is authorized to enter into contracts with Federal or State agencies private firms, institutions, and individuals for the conduct of research or surveys, the preparation of reports, and other activities necessary to the discharge of its duties.

(e)(1) Except as provided in paragraph (2), when the Commission finds that publication of any information obtained by it is in the public interest and would not give an unfair competitive advantage to any person, it is authorized to publish such information in the form and manner deemed best adapted for public use, except that data and information which would separately disclose the business transactions of any person, trade secrets, or names of customers shall be held confidential and shall not be disclosed by the Commission or its staff: *Provided, however,* That the Commission shall permit business firms or individuals, reasonable access to documents furnished by them for the purpose of obtaining or copying such documents as need may arise.

(2) Prior to a finding by the Commission that the publication of any information with respect to any category of household product, is in the public interest and would not give an unfair competitive advantage to any person, the Commission shall (i) notify to the extent practicable all known manufacturers of any such products of such contemplated finding together with a synopsis of the information being considered for publication, and (ii) afford an opportunity not longer than thirty days for any such manufacturer to submit views with respect to the contemplated publication.

(f) The Commission is authorized to delegate any of its functions to individual members of the Commission or to designate individuals on its staff and to make such rules and regulations as are necessary for the conduct of its business, except as herein otherwise provided.

COMPENSATION OF MEMBERS OF THE COMMISSION

SEC. 4. Each member of the Commission may receive compensation at the rate of \$100 for each day such member is engaged upon work of the Commission, and shall be reimbursed for travel expenses, including per diem in lieu of subsistence as authorized by law (5 U.S.C. 5703) for persons in the Government service employed intermittently.

ADMINISTRATION

SEC. 5. (a) The Commission is authorized, without regard to the provisions of title 5, United States Code, governing appointments in the competitive service, and without regard to the provisions of chapter 51 and subchapter III of chapter 53 of such title relating to classification and General Schedule pay rates, to appoint and fix the compensation of an Executive Director and the Executive Director, with the approval of the Commission, may employ and fix the compensation of such additional personnel as may be necessary to carry out the functions of the Commission, but no individual so appointed shall receive compensation in excess of the rate authorized for GS-18 by section 5332 of such title.

(b) The Executive Director, with the approval of the Commission, is authorized to obtain services in accordance with the provisions of section 3109 of title 5, United States Code, but at rates for individuals not to exceed \$100 per diem.

(c) The head of any Federal agency is authorized to detail, on a reimbursable basis, any of its personnel to assist in carrying out the duties of the Commission under this joint resolution.

(d) Financial and administrative services (including those related to budgeting and accounting, financial reporting, personnel, and procurement) shall be provided the Commission by the General Services Administrative, for which payment shall be made in advance, or by reimbursement, from funds of the Commission in such amounts as may be agreed upon by the Chairman of the Commission and the Administrator of General Services. Regulations of the General Services Administration for the collection of indebtedness of personnel resulting from erroneous payments shall apply to the collection of erroneous payments made to or on behalf of a Commission employee, and regulations of said Administrator for the administrative control of funds shall apply to appropriations of the Commission, but the Commission shall not be required to prescribe such regulations.

(e) Ninety days after submission of its final report, as provided in section 2(c), the Commission shall cease to exist.

DEFINITION

SEC. 6. As used in this joint resolution, the term "household products" means products customarily produced or distributed for sale through retail sales agencies or instrumentalities for use by a consumer or any member of his family in or around the household. Such term does not include products which are subject to regulations prescribed under the National Traffic and Motor Vehicle Safety Act of 1966 (15 U.S.C. 1381 et seq.), the Flammable Fabrics Act (15 U.S.C. 1191 et seq.), the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 301 et seq.), the Federal Hazardous Substances Labeling Act (15 U.S.C. 1261 et seq.), the Federal Cigarette Labeling and Advertising Act (15 U.S.C. 1331 et seq.), the Federal Firearms Act (15 U.S.C. 901 et seq.), the National Firearms Act (26 U.S.C. 5801 et seq.), and the Federal Insecticide, Fungicide, and Rodenticide Act (7 U.S.C. 135 et seq.).

AUTHORIZATION

SEC. 7. There are authorized to be appropriated such sums, not to exceed \$2,000,000, as may be necessary to carry out the provisions of this joint resolution.

The SPEAKER. Is a second demanded? Mr. HALL. Mr. Speaker, I demand a second.

The SPEAKER. Without objection, a second will be considered as ordered.

There was no objection.

Mr. HALL. Mr. Speaker, I yield such time as he may consume to the gentleman from Illinois [Mr. SPRINGER].

Mr. SPRINGER. Mr. Speaker, the Commission would be composed of seven members appointed by the President from among persons specially qualified for service thereon by education, training, or experience.

Four members of the Commission would constitute a quorum.

One member of the Commission would be designated by the President to serve as its Chairman and one member would be so designated to serve as Vice Chairman of the Commission.

The committee proposes an amendment to this section to provide that not more than four of the seven members of the Commission may be members of the same political party.

Under subsection (a), the Commission is required to conduct a comprehensive study and investigation of the scope and adequacy of measures now employed to protect consumers against unreasonable risk of injuries which might be caused by hazardous household products. This study and investigation would include consideration of, first, the identity of

categories of household products which may present an unreasonable hazard to the health and safety of the consuming public; second, the extent to which self-regulation by industry affords such protection; third, the protection against hazardous household products afforded at common law in the States, including the relationship of product warranty to such protection; and fourth, a review of Federal, State, and local laws relating to the protection of consumers against categories of hazardous household products, including the scope of coverage, the effectiveness of sanctions, the adequacy of investigatory powers, the uniformity of application, and the quality of enforcement.

The Commission, or any two members thereof authorized by the Commission, could conduct hearings anywhere in the United States or otherwise secure data and expressions of opinions pertinent to the study. Notice of any proposed hearing would be published in the Federal Register and interested persons would be afforded reasonable opportunity to present relevant testimony and data. For this purpose, the Commission could—by majority vote—(1) require corporations, business firms, and individuals to submit in writing such reports and answers to questions as the Commission prescribed; (2) administer oaths; (3) require by subpoena the attendance and testimony of witnesses and the production of all documentary evidence relating to the execution of its duties; (4) in the case of disobedience to a subpoena or order, invoke the aid of any district court of the United States in requiring compliance with such subpoena or order; (5) in any proceeding or investigation, order testimony to be taken by deposition before any person who is designated by the Commission and has the power to administer oaths, and in such instances, compel testimony and the production of evidence in the same manner as described in (3) and (4) above; and (6) pay witnesses the same fees and mileage as are paid in like circumstances in the courts of the United States.

Subsection (a) authorizes the Commission to appoint and fix the compensation of an Executive Director, and authorizes the Executive Director, with the approval of the Commission, to employ and fix the compensation of such additional personnel as may be necessary to carry out its functions.

Under subsection (b), the Executive Director, with the approval of the Commission, is authorized to obtain temporary or intermittent services of experts or consultants or an organization thereof, including stenographic reporting services. This authority would not permit the payment for individuals to exceed the rate of \$100 per day.

Subsection (c) authorizes the head of any Federal agency to detail, on a reimbursable basis, any of the personnel of such agency to assist the Commission in carrying out its duties.

Subsection (d) provides that financial and administrative services shall be provided the Commission by the General Services Administration.

Under subsection (e), as noted above, the Commission would terminate 90 days

90TH CONGRESS
1ST SESSION

H. R. 11565

IN THE SENATE OF THE UNITED STATES

NOVEMBER 8, 1967

Read twice and referred to the Committee on Agriculture and Forestry

AN ACT

To amend section 358 of the Agricultural Adjustment Act of 1938, as amended, to authorize the transfer of peanut acreage allotments.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*
3 That the Agricultural Adjustment Act of 1938, as amended,
4 is amended by adding after section 358 the following new
5 section:

6 “SEC. 358a. (a) Notwithstanding any other provision
7 of law for the 1968 and 1969 crop years, the Secretary, if he
8 determines that it will not impair the effective operation of the
9 peanut marketing quota or price-support program, (1) may
10 permit the owner and operator of any farm for which a pea-

1 nut acreage allotment is established under this Act to sell or
2 lease all or any part or the right to all or any part of such
3 allotment to any other owner or operator of a farm in the
4 same county for transfer to such farm; and (2) may permit
5 the owner of a farm to transfer all or any part of such allot-
6 ment to any other farm owned or controlled by him.

7 “(b) Transfers under this section shall be subject to the
8 following conditions: (1) no allotment shall be transferred
9 to a farm in another county; (2) no transfer of an allotment
10 from a farm subject to a mortgage or other lien shall be per-
11 mitted unless the transfer is agreed to by the lienholders;
12 (3) no sale of a farm allotment from a farm shall be per-
13 mitted if any sale of allotment to the same farm has been
14 made within the three immediately preceding crop years;
15 (4) no transfer of allotment shall be effective until a record
16 thereof is filed with the county committee of the county in
17 which such transfer is made and such committee determines
18 that the transfer complies with the provisions of this section;
19 and (5) if the normal yield established by the county com-
20 mittee for the farm to which the allotment is transferred does
21 not exceed the normal yield established by the county com-
22 mittee for the farm from which the allotment is transferred
23 by more than 10 per centum, the lease or sale and transfer
24 shall be approved acre for acre, but if the normal yield for
25 the farm to which the allotment is transferred exceeds the

1 normal yield for the farm from which the allotment is trans-
2 ferred by more than 10 per centum, the county committee
3 shall make a downward adjustment in the amount of the
4 acreage allotment transferred by multiplying the normal
5 yield established for the farm from which the allotment is
6 transferred by the acreage being transferred and dividing
7 the result by the normal yield established for the farm to
8 which the allotment is transferred: *Provided*, That in the
9 event an allotment is transferred to a farm which at the time
10 of such transfer is not irrigated, but within five years subse-
11 quent to such transfer is placed under irrigation, the Secre-
12 tary shall also make an annual downward adjustment in the
13 allotment so transferred by multiplying the normal yield
14 established for the farm from which the allotment is trans-
15 ferred by the acreage being transferred and dividing the
16 result by the actual yield for the previous year, adjusted for
17 abnormal weather conditions, on the farm to which the allot-
18 ment is transferred: *Provided further*, That, notwithstanding
19 any other provision of this Act, the adjustment made in any
20 peanut allotment because of the transfer to a higher pro-
21 ducing farm shall not reduce or increase the size of any
22 future National or State allotment and an acreage equal to
23 the total of all such adjustments shall not be allotted to any
24 other farms.

1 “(c) The transfer of an allotment shall have the effect
2 of transferring also the acreage history and marketing quota
3 attributable to such allotment and if the transfer is made
4 prior to the determination of the allotment for any year the
5 transfer shall include the right of the owner or operator to
6 have an allotment determined for the farm for such year:
7 *Provided*, That in the case of a transfer by lease the amount
8 of the allotment shall be considered, for the purpose of deter-
9 mining allotments after the expiration of the lease, to have
10 been planted on the farm from which such allotment is
11 transferred.

12 “(d) The land in the farm from which the entire peanut
13 allotment has been transferred shall not be eligible for a new
14 farm peanut allotment during the five years following the
15 year in which such transfer is made.

16 “(e) Any lease may be made for such term of years
17 not to exceed five as the parties thereto agree, and on such
18 other terms and conditions except as otherwise provided in
19 this section as the parties thereto agree.

20 “(f) The lease of any part of a peanut acreage allot-
21 ment determined for a farm shall not affect the allotment
22 for the farm from which such allotment is transferred or the
23 farm to which it is transferred, except with respect to the

1 crop year or years specified in the lease. The amount of
2 the acreage allotment which is leased from a farm shall be
3 considered for purposes of determining future allotments
4 to have been planted to peanuts on the farm from which
5 such allotment is leased and the production pursuant to the
6 lease shall not be taken into account in establishing allot-
7 ments for subsequent years for the farm to which such allot-
8 ment is leased. The lessor shall be considered to have been
9 engaged in the production of peanuts for purposes of eligi-
10 bility to vote in the referendum.

11 “(g) The Secretary shall prescribe regulations for the
12 administration of this section which may include reasonable
13 limitation on the size of the resulting allotments on farms to
14 which transfers are made and such other terms and condi-
15 tions as he deems necessary, but the total peanut allotment
16 transferred to any farm by sale or lease shall not exceed fifty
17 acres.

18 “(h) If the sale or transfer occurs during a period in
19 which the farm is covered by a conservation reserve con-
20 tract, cropland conversion agreement, or other similar land
21 utilization agreement the rates of payment provided for in
22 the contract or agreement of the farm from which the trans-

fer is made shall be subject to an appropriate adjustment,
2 but no adjustment shall be made in the contract or agree-
3 ment of the farm to which the transfer is made."

Passed the House of Representatives November 6, 1967.

Attest:

W. PAT JENNINGS,

Clerk.

AN ACT

To amend section 358 of the Agricultural Adjustment Act of 1938, as amended, to authorize the transfer of peanut acreage allotments.

NOVEMBER 8, 1967

Read twice and referred to the Committee on Agriculture and Forestry

DIGEST of Congressional Proceedings

OF INTEREST TO THE DEPARTMENT OF AGRICULTURE

UNITED STATES DEPARTMENT OF AGRICULTURE
WASHINGTON, D.C. 20250
OFFICIAL BUSINESS

POSTAGE AND FEES PAID
U.S. DEPARTMENT OF AGRICULTURE

OFFICE OF BUDGET AND FINANCE
(FOR INFORMATION ONLY;
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Issued December 1, 1967
For actions of November 30, 1967.
90th-1st; No. 195

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HIGHLIGHTS: Senate concurred in House amendment to bill removing interest-rate limit on land-bank and cooperative-bank loans. Senate subcommittee approved bills for pine-gum price support and peanut-allotments transfer. House passed commodity exchange bill. House subcommittee approved grains standards bill.

SENATE

1. LOANS. Concurred in the House amendment to S. 2565, to remove the 6% interest-rate limit on land-bank and cooperative-bank loans. This bill will now be sent to the President. p. S17415
Sen. Griffin criticized the FHA program of loans for water and waste-disposal systems in rural areas. pp. S17394-8
2. PINE GUM; PEANUTS. A subcommittee of the Agriculture and Forestry Committee approved with amendment S. 2511, to provide price supports on crude pine gum,

A subcommittee of the Agriculture and Forestry Committee approved and without amendment H. R. 11565, to authorize farmers to sell or lease their peanut acreage allotments. The full committee is to consider these bills Dec. 6. p. D1084

3. SUGAR AGREEMENT. The Foreign Relations Committee ordered favorably reported (but did not actually report) the International Sugar Agreement (Ex. K). p. D1084
4. PUBLIC LANDS. Passed as reported H. R. 12121, to continue the Public Land Law Review Commission. pp. S17404-5
5. CONGRESSIONAL ORGANIZATION. Agreed to without amendment S. Res. 188, to continue the Special Senate Committee on Organization of Congress through Jan. 1968. pp. S17401-2
6. CIVIL RIGHTS. Agreed to the conference report (H. Rept. 992) on H. R. 10805, to continue the Civil Rights Commission for 4 additional years (p. S17458). The House received this report (p. H16137).
7. FOOD PROBLEM. Sen. Miller inserted a speech by Mrs. Frances Humphrey Howard, "The Crucial Food/Population World Problem." pp. S17417-19
8. MONETARY POLICY. Sen. Proxmire inserted and commended an editorial asking the Federal Reserve System to slow the increase in the money supply. p. S17428
9. NATIONAL PARKS. Concurred in the House amendment to S. 814, to establish a National Park Foundation to encourage gifts for the National Park Service. This bill will now be sent to the President. pp. S17422-3
Sen. Metcalf deplored continued logging in the McArthur-Elam Creek area, which is being considered for the proposed Redwood National Park. p. S17426
10. EDUCATION. Agreed to without amendment H. Con. Res. 487, to authorize the report, "Study of the U. S. Office of Education," to be printed as a H. Doc. p. S17402
H. R. 7819, the elementary and secondary education bill, was made the pending business. pp. S17562-5

HOUSE

11. COMMODITY EXCHANGE ACT. Passed as reported H. R. 13094, to make various amendments to the Commodity Exchange Act. pp. H16071-6, H16083-7, H16117-8
12. PAY BILL. Conferees were appointed on H. R. 7977, to increase postal rates and the salaries of Federal employees. Senate conferees have been appointed. p. H16089
13. GRAIN STANDARDS. The Daily Digest states that a subcommittee of the Agriculture Committee approved a clean bill in lieu of H. R. 11162, to provide for standards and a national inspection system for grain. pp. D1085-6
14. FOREIGN AID. Reps. Passman and Gross criticized the increase approved by the Senate in the foreign aid appropriation bill. pp. H16068-9

DIGEST of Congressional Proceedings OF INTEREST TO THE DEPARTMENT OF AGRICULTURE

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OFFICE OF BUDGET AND FINANCE
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Issued
For actions of
December 7, 1967
December 6, 1967
90th-1st; No. 199

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HIGHLIGHTS: Both Houses agreed to conference report on meat inspection bill. Senate agreed to extend sugar agreement. Senate committee ordered reported bills for crude pine gum production stabilization and peanut acreage allotment transfer. Senate committee reported bill to provide extension service to D.C.

SENATE

1. SUGAR. Agreed to, 84-0, the resolution of ratification to extend the International Sugar Agreement of 1958. pp. S18021-2
2. EDUCATION. Continued debate on H. R. 7819, the elementary and secondary education bill. pp. S18019-39
3. PUBLIC LANDS. Passed as reported S. 1059, to amend the Act relating to the leasing of lands in Alaska for grazing purposes. This bill is to encourage and

assist in the development of the livestock industry in Alaska. It authorizes a longer term of grazing leases to attract long term financing up to 55 years in place of 20 years. pp. S17954-5

Passed as reported S. 1058, to authorize the Secretary of the Interior to sell lands embraced in certain terminated entries. pp. S17953-4

Passed as reported S. 286, to provide that the cost of certain investigations by the Bureau of Reclamation shall be nonreimbursable. The purpose of this bill is to make the policies of the Bureau of Reclamation, with respect to the reimbursability of costs of investigations, uniform and consistent within the Bureau itself and other agencies of the Government. pp. S17951-2

4. EXTENSION SERVICES. The District of Columbia Committee reported with amendments S. 1999, to provide extension services for D. C. (S. Rept. 888). p. S17962
Sen. Proxmire commended the work of the Cooperative Extension Service in Wis. in aiding low-income families. p. S18000

5. AGRICULTURE LEGISLATION. The Agriculture and Forestry Committee ordered reported (but did not actually report) the following bills: ~~With amendment S. 2511, to provide price supports on crude pine gum; without amendment H. R. 11565, to authorize farmers to sell or lease their peanut acreage allotments; and H. R. 10864, to authorize the Secretary of Agriculture to convey certain lands in Ark., to a private firm.~~ p. DI101

6. PAY BILL. Sen. Byrd, Va. commended the efforts of the Senate conferees on the bill to raise postal rates and increase the salaries of Federal employees, and urged the conferees to take the Senate position on the deletion of the provision to provide a Presidential salary commission. pp. S17986-7

7. ECONOMY; TAXATION. Sen. Proxmire disagreed with the proposed tax increase and stated that the devaluation of the British pound is no basis for a tax hike. pp. S17995-6

8. NATIONAL GRANGE. Sen. Mondale congratulated the National Grange on the celebration of its 100th anniversary. p. S17996

9. NATIONAL PARK. Sen. Varborough inserted an article in support of his bill S. 4, to establish the Big Thicket National Park in Tex. pp. S18001-2

10. FEDERAL LAND BANK AWARD. Sen. Jordan, N. C., commended Sen. Holland on the receipt of the Federal Land Bank Golden Anniversary Medal citation. p. S18003

11. FORESTRY. Sen. Morse urged that limitations be placed on log exports to Japan in an effort to protect the lumber industry of the Pacific Northwest. pp. S18046-7

HOUSE

12. MEAT INSPECTION. Both Houses agreed to (House vote 336-28) the conference report on H. R. 12144, the meat inspection bill (H. Rept. 998) (pp. H16454, H16335-55, S18039-46). This bill will now be sent to the President. As agreed to, the bill requires annual reports on the administration of the imported meat provisions of the act; deletes a provision in present law which gives the Secretary of Agriculture authority to exempt certain retail butchers and retail dealers from the application of full Federal meat inspection; provides for Federal

DIGEST of Congressional Proceedings

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Issued December 11, 1967
For actions of December 8, 1967
90th-1st; No. 201

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HIGHLIGHTS: Senate committee reported bills to stabilize crude pine production and to authorize transfer of peanut acreage allotments. Senate agreed to conference report on poverty bill. Senate passed bill to provide extension service to D. C.

SENATE

1. POVERTY. Agreed, 62-16, to the conference report on S. 2388, the poverty bill (pp. S18222-34). The bill would continue the anti-poverty program for two years and would authorize \$1.98 billion for the first year and \$2.18 billion for the second.
2. EDUCATION. Continued debate on H. R. 7819, the elementary and secondary education bill. pp. S18215-22, S18258-60, S18262-71, S18273-6
3. EXTENSION SERVICE RESEARCH. Passed as reported S. 1999, to make the Federal City College a land-grant college for the purpose of extending to the District of Columbia the extension service, marketing research, and agricultural college endowment programs. pp. S18243-5

4. PINE GUM. The Agriculture and Forestry Committee reported with amendments S. 2511, to provide for price supports on crude pine gum (S. Rept. 907). p. S18182
5. PEANUTS. The Agriculture and Forestry Committee reported without amendment H. R. 11565, to authorize the sale or lease of peanut acreage allotments (S. Rept. 908). p. S18182
6. RECLAMATION. Passed as reported S. 51, to authorize the Merlin division, Rogue River Basin project, Ore. pp. S18257-8
7. FOREIGN TRADE. Sen. Long, Mo., discussed foreign agricultural markets and inserted an article, "A Look Ahead at Agricultural Trade Policy." pp. S18191-3
8. RURAL DEVELOPMENT. Sen. Mundt urged the House to consider as early as possible next year S. J. Res. 64, to establish a Commission on Balanced Economic Development, and inserted several articles on urban-rural economic balance. pp. S18193-5
9. SOCIAL SECURITY. Several Senators spoke in opposition to the proposed conference report on H. R. 12080, the social security bill. pp. S18260-2
10. ADJOURNED until Mon., Dec. 11. p. S18280
- ITEMS IN APPENDIX
11. DAIRY. Sen. Javits inserted the speech of a member of the National Milk Producers Federation, "What Dairymen Can Do," dealing with the "problems" of the dairy industry. pp. A6043-4
12. ELECTRIFICATION. Extension of remarks of Rep. Bow stating that the proposed Electric Reliability Act is an "unwise attempt to extend Federal control...into areas...better served by...private enterprise," and insertion of excerpts of a supporting statement by an Ohio Power Co. vice president. p. A6047
13. TAXES; ECONOMY. Extension of remarks by Rep. Colmer on the "problems" of spending and taxes and the insertion of excerpts of his remarks on this subject. pp. A6048-9, A6064-5
Rep. Robison inserted an article by a Budget Bureau consultant, "A New Road to a Stable Economy." pp. A6067-8
14. EDUCATION. Reps. Bow and Pucinski inserted articles praising the vocational education program. pp. A6052-3, A6072-3
15. BUDGET. Extension of remarks of Rep. Dingell expressing concern for the "impact which an across-the-board budget cut might have," and insertion of supporting statements from the various regulatory agencies. pp. A6058-61
16. JOB CORPS. Extension of remarks of Rep. Udall praising the Job Corps and insertion of an article, "One of the Nation's Best Camps." pp. A6062-3
17. FOREIGN TRADE. Rep. Reuss inserted a statement by the State Dept. and the Office of the Special Representative for Trade Negotiations, "Progress Achieved in the Reduction of Nontariff Barriers to Trade." pp. A6071-2

Calendar No. 891

90TH CONGRESS }
1st Session }

SENATE }

{

REPORT
No. 908

PEANUT ACREAGE ALLOTMENTS TRANSFERS

DECEMBER 8, 1967.—Ordered to be printed

Mr. TALMADGE, from the Committee on Agriculture and Forestry,
submitted the following

R E P O R T

[To accompany H.R. 11565]

The Committee on Agriculture and Forestry, to which was referred the bill (H.R. 11565) to amend section 358 of the Agricultural Adjustment Act of 1938, as amended, to authorize the transfer of peanut acreage allotments, having considered the same, reports favorably thereon without amendment and recommends that the bill do pass.

PURPOSE

H.R. 11565 would authorize during the 1968 and 1969 crop years the lease, sale, and transfer of peanut acreage allotments within counties only.

EXPLANATION OF THE BILL

This bill authorizes the Secretary of Agriculture during the 1968 and 1969 crop years to permit the sale, lease, or transfer of peanut acreage allotments, subject to the following conditions:

- (1) Such transfer must not impair the peanut marketing quota or price support program;
- (2) No transfer could be made to a farm in another county;
- (3) Any transfer must be agreed to by holders of all liens on the transferring farm;
- (4) No allotment could be sold from a farm which has purchased allotment during the three preceding years;
- (5) Transfers must be recorded with, and determined lawful by, the county committee;
- (6) The allotment must be adjusted if the normal yield of the farm to which it is transferred is more than 110 percent of that for the farm from which it is transferred;
- (7) A farm which transfers its entire allotment shall not be eligible for a new farm allotment for 5 years;

(8) A lease may not exceed 5 years. Other transfers would be permanent;

(9) The Secretary may prescribe reasonable limits on resulting allotments;

(10) Not more than 50 acres shall be transferred by sale or lease to any farm;

(11) Rates of payment in any conservation reserve contract or similar agreement for the farm from which the allotment is transferred shall be subject to appropriate adjustment.

NEED FOR THE LEGISLATION

The legislation is necessary because at present first, there are many peanut acreage allotments too small to constitute an economic unit in view of rising costs of producing and harvesting peanuts. The Department of Agriculture reports that in 1964 (the last year for which complete calculations are available) more than one-fourth of all peanut allotments were 5 acres or less and more than one-half were 10 acres or less. This year the average size of established allotments is approximately 17.9 acres.

The fact that allotments were abandoned during World War II, in order to increase production, encouraged many new producers to enter into production of peanuts. When allotments were reestablished in 1949 the many newly established small and uneconomical allotments served to reduce the size of the allotments awarded the established producers.

Second, much greater mechanization in the production of peanuts involves the use of very expensive equipment, herbicides, and improved methods of cultivation. This simply means that the cost per acre of producing peanuts is going up. Therefore, in many cases, farmers need to increase their peanut acreage allotment in order to realize a reasonable return on their tremendous investment. However, the committee intends that the authority provided by subsection (g) shall be exercised with a view to meeting the problem of small, uneconomical size peanut operations rather than to facilitate the formation of units larger than required to meet the needs of the family farm.

Peanut acreage allotments were first established in 1941 by authority of the Agricultural Adjustment Act of 1938, as amended. The size of the allotments was based on a producer's production during the previous 3-year history of production on the farm.

These allotments remained in effect only until 1942 when they were abandoned in order to permit the increase in production demanded by our war effort. Production virtually doubled during this period. The reestablishment of peanut acreage allotments in 1949 brought in many producers who had only begun growing peanuts during the time when allotments had not been in effect. The entrance into the program of these producers created many small and inefficient allotments.

If the Secretary of Agriculture determines that it will not impair the effective operation of the peanut marketing quota or price-support program, H.R. 11565 would permit (for the 1968 and 1969 crop years) the owner or operator of a farm which has a peanut acreage allotment to sell or lease all or any portion of his allotment to any other owner or operator of a farm in the same country. It would also permit the

owner of a farm with a peanut acreage allotment to transfer all or any part of the allotment to any other farm owned or controlled by him in the same county.

The committee feels that the provisions of the bill will guard adequately against any speculation or overproduction which might otherwise result from this new authority.

The enactment of this bill will enable many producers to acquire ample peanut acreage to grow peanuts on a more sound economic basis. It will also enable some producers to go out of peanut production in a manner in which both they and other producers who acquire the allotment will benefit.

In essence, this legislation will put peanut production in the hands of those who want to grow peanuts while at the same time it guards against any major geographical switch in peanut production which would undoubtedly be injurious to the economy of many countries.

TABLE 1.—U.S. SUMMARY 1967 "OLD" PEANUT ALLOTMENT FARMS

State	Total		1967 State reserve (acres)	1967 State allotment (acres)	Average "old" farm 1967 allotment (acres)
	Number of of "old" farms	Acres allotted			
Alabama	14,611	217,241.8	260.2	217,502	14.9
Arizona	18	710.2	3.8	714	39.5
Arkansas	65	560.8	13,637.2	4,198	8.6
California	29	864.0	170.0	934	29.8
Florida	4,802	55,153.6	139.4	55,293	11.5
Georgia	26,300	527,816.9	211.1	528,028	20.1
Louisiana	25	251.2	1,701.8	1,953	10.0
Mississippi	49	424.9	17,095.1	7,520	8.7
Missouri	0	0	1247.0	247	0
New Mexico	417	5,553.2	12.8	5,566	13.3
North Carolina	15,233	168,237.0	184.0	168,421	11.0
Oklahoma	7,621	138,360.3	68.7	138,429	18.2
South Carolina	882	13,852.4	16.6	13,869	15.7
Tennessee	94	3,561.8	40.2	3,602	37.9
Texas	12,429	356,696.1	218.9	356,915	28.7
Virginia	6,643	105,103.2	195.8	105,199	15.8
Total	89,218	1,594,387.4	14,002.6	21,608,390	37

¹ Includes acreage approved for use to establish new farm allotments in addition to the 1,610 acres reserve for new farms as follows: Arkansas, 117 acres; California, 60 acres; Mississippi, 11.6 acres; Missouri, 60 acres; North Carolina, 10 acres; South Carolina, 12 acres; Virginia, 15 acres.

² New farm reserve of 1,610 acres accounts for the balance of the national allotment; the 1,610 acres were allocated as follows: Alabama, 23.5 acres; California, 57.4 acres; Florida, 93.2 acres; Georgia, 807 acres; New Mexico, 57 acres; North Carolina, 20 acres; Oklahoma, 145.8 acres; South Carolina, 2 acres; Tennessee, 19.3 acres; Texas, 384.8 acres.

³ U.S. average old farm allotment; this average, as well as the average for each State, could be affected depending on how much of State reserve is used to adjust old farm allotments.

TABLE 2.—*Peanuts: U.S. acreage harvested by years, 1930–66
(acreage picked and threshed)*

Crop year:	<i>Thousands of acres</i>	Crop year—Continued	<i>Thousands of acres</i>
1930	1,073	1949	2,308
1931	1,440	1950	2,262
1932	1,501	1951	1,982
1933	1,217	1952	1,443
1934	1,514	1953	1,515
1935	1,497	1954	1,387
1936	1,660	1955	1,669
1937	1,538	1956	1,385
1938	1,692	1957	1,481
1939	1,908	1958	1,516
1940	2,053	1959	1,435
1941	1,900	1960	1,395
1942	3,355	1961	1,398
1943	3,528	1962	1,400
1944	3,068	1963	1,396
1945	3,160	1964	1,397
1946	3,141	1965	1,435
1947	3,377	1966	1,421
1948	3,296		

DEPARTMENTAL VIEWS

DEPARTMENT OF AGRICULTURE,
Washington, D.C., April 27, 1967.

Hon. W. R. POAGE,
*Chairman, Committee on Agriculture,
House of Representatives,
Washington, D.C.*

DEAR MR. CHAIRMAN: This is in reply to your request of March 7, 1967, for a report on H.R. 6383, a bill to amend the Agricultural Adjustment Act of 1938, as amended, to authorize the transfer of peanut acreage allotments.

This Department recommends that the bill be passed.

This bill would authorize the Secretary to permit the transfer by sale, lease, or by owner of peanut acreage allotments provided he determines the effective operation of the program would not be impaired.

No transfer of allotment would be permitted (a) outside the State; (b) from a farm subject to a mortgage or other lien unless agreed to by the lienholder; (c) from a farm to which a peanut allotment was transferred during the three immediately preceding years; or (d) until a record of the transfer had been filed with the county committee of the county to which transferred and such committee determined that it complied with provisions of law.

The Secretary would be required to prescribe regulations to implement the legislation including provisions for limiting the size of the resulting allotment on the reseiving farm. It is assumed this authority would permit the Secretary to provide for adjustment of acreage transferred when the productivity of the receiving farm is substantially higher than that of the farm from which the allotment is transferred.

This bill does not provide any restriction on transfers across county lines within the same State. Statutory authority for transfer of cotton acreage allotments permits transfers across county lines only after approval by producers voting in a referendum.

Transferring peanut allotments will permit the establishment of more economic-sized units of production which will in turn result in more efficient production on individual farms and for the industry as a whole. Small but capable and efficient farmers could increase their acreage of peanuts without incurring the heavy costs involved in buying additional and often unneeded land. In addition those who wish to discontinue growing peanuts, could transfer their resources to other crops, or retire from peanut production entirely and still receive remuneration.

The Department has, on a number of occasions, recommended legislation to authorize the transfer by lease or sale of acreage allotments, base acreages, and quotas for all commodities. Our most recent recommendation of April 17, 1967, is presently pending before your committee. This authority has been provided only for cotton, leases of certain kinds of tobacco, and transfers of producer rice allotments. Although we still favor authority to lease and sell all commodity allotments, base acreages, and quotas, we have no objection to such authority being considered on a commodity-by-commodity basis.

Enactment of H.R. 6383 would not require additional funds and would vastly improve program operations at all levels of administration and for peanut farmers.

The Bureau of the Budget advises that there is no objection to the presentation of this report from the standpoint of the administration's program.

Sincerely yours,

JOHN A. SCHNITTKER,
Under Secretary.

CHANGES IN EXISTING LAW

In compliance with subsection (4) of rule XXIX of the Standing Rules of the Senate, changes in existing law made by the bill, as reported, are shown as follows (existing law proposed to be omitted is enclosed in black brackets, new matter is printed in italic, existing law in which no change is proposed is shown in roman):

AGRICULTURAL ADJUSTMENT ACT OF 1938

* * * * *

PART VI—MARKETING QUOTAS—PEANUTS

MARKETING QUOTAS

SEC. 358. (a) Between July 1 and December 1 of each calendar year the Secretary shall proclaim the amount of the national marketing quota for peanuts for the crop produced in the next succeeding calendar year in terms of the total quantity of peanuts which will make available for marketing a supply of peanuts from the crop with respect to which the quota is proclaimed equal to the average quantity of peanuts harvested for nuts during the five years immediately preceding the year in which such quota is proclaimed, adjusted for current trends and prospective demand conditions, and the quota so proclaimed shall be in effect with respect to such crop. The national marketing quota for peanuts for any year shall be converted to a national acreage allotment by dividing such quota by the normal yield per acre of peanuts for the United States determined by the

Secretary on the basis of the average yield per acre of peanuts in the five years preceding the year in which the quota is proclaimed, with such adjustments as may be found necessary to correct for trends in yields and for abnormal conditions of production affecting yields in such five years * * *.

(b) Not later than December 15 of each calendar year the Secretary shall conduct a referendum of farmers engaged in the production of peanuts in the calendar year in which the referendum is held to determine whether such farmers are in favor of or opposed to marketing quotas with respect to the crops of peanuts produced in the three calendar years immediately following the year in which the referendum is held, except that, if as many as two-thirds of the farmers voting in any referendum-vote in favor of marketing quotas, no referendum shall be held with respect to quotas for the second and third years of the period. The Secretary shall proclaim the results of the referendum within thirty days after the date on which it is held, and, if more than one-third of the farmers voting in the referendum vote against marketing quotas, the Secretary also shall proclaim that marketing quotas will not be in effect with respect to the crop of peanuts produced in the calendar year immediately following the calendar year in which the referendum is held.

(c) (1) The national acreage allotment for 1951, less the acreage to be allotted to new farms under subsection (f) of this section, shall be apportioned among the States on the basis of the larger of the following for each State: (a) The acreage allotted to the State as its share of the 1950 national acreage allotment of two million one hundred thousand acres, or (b) the State's share of two million one hundred thousand acres apportioned to States on the basis of the average acreage harvested for nuts in each State in the five years 1945-49: *Provided*, That any allotment so determined for any State which is less than the 1951 State allotment announced by the Secretary prior to the enactment of this Act shall be increased to such announced allotment and the acreage required for such increases shall be in addition to the 1951 national acreage allotment and shall be considered in determining State acreage allotments in future years. For any year subsequent to 1951, the national acreage allotment for that year, less the acreage to be allotted to new farms under subsection (f) of this section, shall be apportioned among the States on the basis of their share of the national acreage allotment for the most recent year in which such apportionment was made.

(2) Notwithstanding any other provision of law, if the Secretary of Agriculture determines, on the basis of the average yield per acre of peanuts by types during the preceding 5 years, adjusted for trends in yields and abnormal conditions of production affecting yields in such 5 years, that the supply of any type or types of peanuts for any marketing year, beginning with the 1951-52 marketing year, will be insufficient to meet the estimated demand for cleaning and shelling purposes at prices at which the Commodity Credit Corporation may sell for such purposes peanuts owned or controlled by it, the State allotments for those States producing such type or types of peanuts shall be increased to the extent determined by the Secretary to be required to meet such demand but the allotment for any State may not be increased under this provision above the 1947 harvested acreage of peanuts for such State. The total increase so determined

shall be apportioned among such States for distribution among farms producing peanuts of such type or types on the basis of the average acreage of peanuts of such type or types in the 3 years immediately preceding the year for which the allotments are being determined. The additional acreage so required shall be in addition to the national acreage allotment, the production from such acreage shall be in addition to the national marketing quota, and the increase in acreage allotted under this provision shall not be considered in establishing future State, county, or farm acreage allotments.

(d) The Secretary shall provide for apportionment of the State acreage allotment for any State through local committees among farms on which peanuts were grown in any of the three years immediately preceding the year for which such allotment is determined. The State acreage allotment for 1952 and any subsequent year shall be apportioned among farms on which peanuts were produced in any one of the three calendar years immediately preceding the year for which such apportionment is made, on the basis of the following: Past acreage of peanuts, taking into consideration the acreage allotments previously established for the farm; abnormal conditions affecting acreage; land, labor, and equipment available for the production of peanuts; crop-rotation practices; and soil and other physical factors affecting the production of peanuts. Any acreage of peanuts harvested in excess of the allocated acreage for any farm for any year shall not be considered in the establishment of the allotment for the farm in succeeding years. The amount of the marketing quota for each farm shall be the actual production of the farm-acreage allotment, and no peanuts shall be marketed under the quota for any farm other than peanuts actually produced on the farm.

(e) Notwithstanding the foregoing provisions of this section, the Secretary may, if the State committee recommends such action and the Secretary determines that such action will facilitate the effective administration of the provisions of the Act, provide for the apportionment of the State acreage allotment for 1952 and any subsequent year among the counties in the State on the basis of the past acreage of peanuts harvested for nuts (excluding acreage in excess of farm allotments) in the county during the five years immediately preceding the year in which such apportionment is made, with such adjustments as are deemed necessary for abnormal conditions affecting acreage, for trends in acreage, and for additional allotments for types of peanuts in short supply under the provisions of subsection (c). The county acreage allotment shall be apportioned among farms on the basis of the factors set forth in subsection (d) of this section.

(f) Not more than one per centum of the national acreage allotment shall be apportioned among farms on which peanuts are to be produced during the calendar year for which the allotment is made but on which peanuts were not produced during any one of the past three years, on the basis of the following: Past peanut-producing experience by the producers; land, labor, and equipment available for the production of peanuts; crop-rotation practices; and soil and other physical factors affecting the production of peanuts.

(g) Any part of the acreage allotted to individual farms under the provisions of this section on which peanuts will not be produced and which is voluntarily surrendered to the county committee shall be deducted from the allotments to such farms and may be reapportioned

by the county committee to other farms in the same county receiving allotments, in amounts determined by the county committee to be fair and reasonable on the basis of land, labor, and equipment available for the production of peanuts, crop-rotation practices, and soil and other physical factors affecting the production of peanuts. Any transfer of allotments under this provision shall not operate to reduce the allotment for any subsequent year for the farm from which acreage is transferred, except as the farm becomes ineligible for an allotment by failure to produce peanuts during a three-year period, and any such transfer shall not operate to increase the allotment for any subsequent year for the farm to which the acreage is transferred: *Provided*, That, notwithstanding any other provisions of this Act, any part of any farm acreage allotment may be permanently released in writing to the county committee by the owner and operator of the farm, and reapportioned as provided herein.

(h) * * *. Repealed by Public Law 85-835.

(i) The production of peanuts on a farm in 1959 or any subsequent year for which no farm acreage allotment was established shall not make the farm eligible for an allotment as an old farm under subsection (d) of this section: *Provided, however*, That by reason of such production the farm need not be considered as ineligible for a new farm allotment under subsection (f) of this section, but such production shall not be deemed past experience in the production of peanuts for any producer on the farm.

Sec. 358a. (a) Notwithstanding any other provision of law for the 1968 and 1969 crop years, the Secretary, if he determines that it will not impair the effective operation of the peanut marketing quota or price-support program, (1) may permit the owner and operator of any farm for which a peanut acreage allotment is established under this Act to sell or lease all or any part or the right to all or any part of such allotment to any other owner or operator of a farm in the same county for transfer to such farm; and (2) may permit the owner of a farm to transfer all or any part of such allotment to any other farm owned or controlled by him.

(b) Transfers under this section shall be subject to the following conditions: (1) no allotment shall be transferred to a farm in another county; (2) no transfer of an allotment from a farm subject to a mortgage or other lien shall be permitted unless the transfer is agreed to by the lienholders; (3) no sale of a farm allotment from a farm shall be permitted if any sale of allotment to the same farm has been made within the three immediately preceding crop years; (4) no transfer of allotment shall be effective until a record thereof is filed with the county committee of the county in which such transfer is made and such committee determines that the transfer complies with the provisions of this section; and (5) if the normal yield established by the county committee for the farm to which the allotment is transferred does not exceed the normal yield established by the county committee for the farm from which the allotment is transferred by more than 10 per centum, the lease or sale and transfer shall be approved acre for acre, but if the normal yield for the farm to which the allotment is transferred exceeds the normal yield for the farm from which the allotment is transferred by more than 10 per centum, the county committee shall make a downward adjustment in the amount of the acreage allotment transferred by multiplying the normal yield established for the farm from which the allotment is transferred by the acreage being transferred and dividing the result by the normal yield established for the farm to which the allotment

is transferred: Provided, That in the event an allotment is transferred to a farm which at the time of such transfer is not irrigated, but within five years subsequent to such transfer is placed under irrigation, the Secretary shall also make an annual downward adjustment in the allotment so transferred by multiplying the normal yield established for the farm from whieh the allotment is transferred by the acreage being transferred and dividing the result by the actual yield for the previous year, adjusted for abnormal weather conditions, on the farm to which the allotment is transferred: Provided further, That, notwithstanding any other provision of this Act, the adjustment made in any peanut allotment because of the transfer to a higher producing farm shall not reduce or increase the size of any future National or State allotment and an acreage equal to the total of all such adjustments shall not be allotted to any other farms.

(c) The transfer of an allotment shall have the effect of transferring also the acreage history and marketing quota attributable to such allotment and if the transfer is made prior to the determination of the allotment for any year the transfer shall include the right of the owner or operator to have an allotment determined for the farm for such year: Provided, That in the case of a transfer by lease the amount of the allotment shall be considered, for the purpose of determining allotments after the expiration of the lease, to have been planted on the farm from which such allotment is transferred.

(d) The land in the farm from which the entire peanut allotment has been transferred shall not be eligible for a new farm peanut allotment during the five years following the year in which such transfer is made.

(e) Any lease may be made for such term of years not to exceed five as the parties thereto agree, and on such other terms and conditions except as otherwise provided in this section as the parties thereto agree.

(f) The lease of any part of a peanut acreage allotment determined for a farm shall not affect the allotment for the farm from which such allotment is transferred or the farm to which it is transferred, except with respect to the crop year or years specified in the lease. The amount of the acreage allotment which is leased from a farm shall be considered for purposes of determining future allotments to have been planted to peanuts on the farm from which such allotment is leased and the production pursuant to the lease shall not be taken into account in establishing allotments for subsequent years for the farm to which such allotment is leased. The lessor shall be considered to have been engaged in the production of peanuts for purposes of eligibility to vote in the referendum.

(g) The Secretary shall prescribe regulations for the administration of this section which may include reasonable limitation on the size of the resulting allotments on farms to which transfers are made and such other terms and conditions as he deems necessary, but the total peanut allotment transferred to any farm by sale or lease shall not exceed fifty acres.

(h) If the sale or transfer occurs during a period in which the farm is covered by a conservation reserve contract, cropland conversion agreement, or other similar land utilization agreement the rates of payment provided for in the contract or agreement of the farm from which the transfer is made shall be subject to an appropriate adjustment, but no adjustment shall be made in the contract or agreement of the farm to whieh the transfer is made.



Calendar No. 891

90TH CONGRESS
1ST SESSION

H. R. 11565

[Report No. 908]

IN THE SENATE OF THE UNITED STATES

NOVEMBER 8, 1967

Read twice and referred to the Committee on Agriculture and Forestry

DECEMBER 8, 1967

Reported by Mr. TALMADGE, without amendment

AN ACT

To amend section 358 of the Agricultural Adjustment Act of 1938, as amended, to authorize the transfer of peanut acreage allotments.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*
3 That the Agricultural Adjustment Act of 1938, as amended,
4 is amended by adding after section 358 the following new
5 section:

6 “SEC. 358a. (a) Notwithstanding any other provision
7 of law for the 1968 and 1969 crop years, the Secretary, if he
8 determines that it will not impair the effective operation of the
9 peanut marketing quota or price-support program, (1) may
10 permit the owner and operator of any farm for which a pea-

1 nut acreage allotment is established under this Act to sell or
2 lease all or any part or the right to all or any part of such
3 allotment to any other owner or operator of a farm in the
4 same county for transfer to such farm; and (2) may permit
5 the owner of a farm to transfer all or any part of such allot-
6 ment to any other farm owned or controlled by him.

7 “(b) Transfers under this section shall be subject to the
8 following conditions: (1) no allotment shall be transferred
9 to a farm in another county; (2) no transfer of an allotment
10 from a farm subject to a mortgage or other lien shall be per-
11 mitted unless the transfer is agreed to by the lienholders;
12 (3) no sale of a farm allotment from a farm shall be per-
13 mitted if any sale of allotment to the same farm has been
14 made within the three immediately preceding crop years;
15 (4) no transfer of allotment shall be effective until a record
16 thereof is filed with the county committee of the county in
17 which such transfer is made and such committee determines
18 that the transfer complies with the provisions of this section;
19 and (5) if the normal yield established by the county com-
20 mittee for the farm to which the allotment is transferred does
21 not exceed the normal yield established by the county com-
22 mittee for the farm from which the allotment is transferred
23 by more than 10 per centum, the lease or sale and transfer
24 shall be approved acre for acre, but if the normal yield for
25 the farm to which the allotment is transferred exceeds the

1 normal yield for the farm from which the allotment is trans-
2 ferred by more than 10 per centum, the county committee
3 shall make a downward adjustment in the amount of the
4 acreage allotment transferred by multiplying the normal
5 yield established for the farm from which the allotment is
6 transferred by the acreage being transferred and dividing
7 the result by the normal yield established for the farm to
8 which the allotment is transferred: *Provided*, That, in the
9 event an allotment is transferred to a farm which at the time
10 of such transfer is not irrigated, but within five years subse-
11 quent to such transfer is placed under irrigation, the Secre-
12 tary shall also make an annual downward adjustment in the
13 allotment so transferred by multiplying the normal yield
14 established for the farm from which the allotment is trans-
15 ferred by the acreage being transferred and dividing the
16 result by the actual yield for the previous year, adjusted for
17 abnormal weather conditions, on the farm to which the allot-
18 ment is transferred: *Provided further*, That, notwithstanding
19 any other provision of this Act, the adjustment made in any
20 peanut allotment because of the transfer to a higher pro-
21 ducing farm shall not reduce or increase the size of any
22 future National or State allotment and an acreage equal to
23 the total of all such adjustments shall not be allotted to any
24 other farms.

25 "(c) The transfer of an allotment shall have the effect

1 of transferring also the acreage history and marketing quota
2 attributable to such allotment and if the transfer is made
3 prior to the determination of the allotment for any year the
4 transfer shall include the right of the owner or operator to
5 have an allotment determined for the farm for such year:
6 *Provided*, That in the case of a transfer by lease the amount
7 of the allotment shall be considered, for the purpose of deter-
8 mining allotments after the expiration of the lease, to have
9 been planted on the farm from which such allotment is
10 transferred.

11 “(d) The land in the farm from which the entire peanut
12 allotment has been transferred shall not be eligible for a new
13 farm peanut allotment during the five years following the
14 year in which such transfer is made.

15 “(e) Any lease may be made for such term of years
16 not to exceed five as the parties thereto agree, and on such
17 other terms and conditions except as otherwise provided in
18 this section as the parties thereto agree.

19 “(f) The lease of any part of a peanut acreage allot-
20 ment determined for a farm shall not affect the allotment
21 for the farm from which such allotment is transferred or the
22 farm to which it is transferred, except with respect to the
23 crop year or years specified in the lease. The amount of
24 the acreage allotment which is leased from a farm shall be
25 considered for purposes of determining future allotments

1 to have been planted to peanuts on the farm from which
2 such allotment is leased and the production pursuant to the
3 lease shall not be taken into account in establishing allot-
4 ments for subsequent years for the farm to which such allot-
5 ment is leased. The lessor shall be considered to have been
6 engaged in the production of peanuts for purposes of eligi-
7 bility to vote in the referendum.

8 "(g) The Secretary shall prescribe regulations for the
9 administration of this section which may include reasonable
10 limitation on the size of the resulting allotments on farms to
11 which transfers are made and such other terms and condi-
12 tions as he deems necessary, but the total peanut allotment
13 transferred to any farm by sale or lease shall not exceed fifty
14 acres.

15 “(h) If the sale or transfer occurs during a period in
16 which the farm is covered by a conservation reserve con-
17 tract, cropland conversion agreement, or other similar land
18 utilization agreement the rates of payment provided for in
19 the contract or agreement of the farm from which the trans-
20 fer is made shall be subject to an appropriate adjustment,
21 but no adjustment shall be made in the contract or agree-
22 ment of the farm to which the transfer is made.”

Passed the House of Representatives November 6, 1967.

Attest:

W. PAT JENNINGS,

Clerk.

90TH CONGRESS
1st Session

H. R. 11565

[Report No. 908]

AN ACT

To amend section 358 of the Agricultural Adjustment Act of 1938, as amended, to authorize the transfer of peanut acreage allotments.

NOVEMBER 8, 1967

Read twice and referred to the Committee on Agriculture and Forestry

DECEMBER 8, 1967

Reported without amendment

Senate

Dec 11, 1968

- 3 -

payments for extra-long-staple cotton, however, would be limited to an acreage not in excess of the 1966 acreage allotment; second, increase the minimum national marketing quota to an amount equal to the current import quota, approximately 82,470 bales. Since the 1968 national acreage allotment has already been proclaimed, the bill would increase the 1968 allotment from 70,800 acres to 77,800 acres, the equivalent of 82,480 bales; third, permit Commodity Credit Corporation to sell at market prices a quantity of extra-long-staple cotton equal to the amount by which estimated production falls short of estimated requirements. This is comparable to a similar provision for upland cotton and should permit each type of cotton to move in the market at a proper price relationship to the other type of cotton; and, fourth, permit transfers of extra-long-staple cotton acreage allotments within a State." pp. S18360-3

14. PEANUTS. Passed without amendment H. R. 11565, to authorize the transfer of peanut acreage allotments. This bill will now be sent to the President. As passed the bill "authorizes the Secretary of Agriculture during the 1968 and 1969 crop years to permit the sale, lease, or transfer of peanut acreage allotments, subject to the following conditions: (1) Such transfer must not impair the peanut marketing quota or price support program; (2) No transfer could be made to a farm in another county; (3) Any transfer must be agreed to by holders of all liens on the transferring farm; (4) No allotment could be sold from a farm which has purchased allotment during the three preceding years; (5) Transfers must be recorded with, and determined lawful by, the county committee; (6) The allotment must be adjusted if the normal yield to the farm to which it is transferred is more than 110 percent of that for the farm from which it is transferred; (7) A farm which transfers its entire allotment shall not be eligible for a new farm allotment for 5 years; (8) A lease may not exceed 5 years. Other transfers would be permanent; (9) The Secretary may prescribe reasonable limits on resulting allotments; (10) Not more than 50 acres shall be transferred by sale or lease to any farm; (11) Rates of payment in any conservation reserve contract or similar agreement for the farm from which the allotment is transferred shall be subject to appropriate adjustment." pp. S18291-2
15. EDUCATION. Passed, 71 to 7, with amendments H. R. 7819, the elementary and secondary education bill (pp. S18313-16, S18322-42, S18344-5, S18347-57). See Digest 196 for items of interest to this Department.
16. WATER POLLUTION. The Public Works Committee reported without amendment S. 2760, to amend the Federal Water Pollution Control Act to authorize research and demonstration programs for the control of lake pollution and acid and other mine water drainage, and to prevent pollution of water by oil (S. Rept. 917). p. S18292
17. WAGE-PRICE GUIDELINES. Sen. Proxmire inserted a Milwaukee Journal editorial calling for "a return to the voluntary wage-price guidelines." p. S18296
18. FOREIGN TRADE. Sen. Nelson inserted suggestions on the improvement of our export programs resulting from hearings by the Select Committee on Small Business (pp. S18297-8).
Sen. Smathers inserted "Wisconsin Regional Export Expansion Council Survey on Tax Incentives" (pp. S18298-300).

19. POVERTY. Sen. Proxmire stated "the report of the President's Commission on Rural Poverty...dramatically points up the need to reorient our programs to combat poverty" and inserted several editorials on the subject. pp. S18300-1
20. COOPERATIVES. Sen. Ervin expressed pleasure that a number of new major facilities in which the farmer co-ops are investing are located in rural areas. p. S18306
21. MEAT INSPECTION. Sen. Mondale commended personnel of this Department who "ably and fearlessly contributed to the success" of the meat inspection legislation. pp. S18306-7
22. BEEF. Sen. Pearson suggested exploring the possibility of assistance to Britain by supplying available American beef during the shortage in that country. p. S18307
23. SOCIAL SECURITY. Sen. Metcalf criticized the conference report on the social security bill. pp. S18371-4

ITEMS IN APPENDIX

24. RURAL POVERTY. Extension of remarks of Rep. Evins, Tenn., stating that events are "indicating a greater and greater attention is being focused on the problems of our rural and smalltown areas", and inserting articles on this subject. pp. A6083-4
25. RESEARCH. Extension of remarks of Rep. Evins, Tenn., inserting an address which suggests that selectivity is the key to sensible research and development. pp. A6086-7
26. TAXATION; ECONOMY. Extension of remarks of Rep. Hunt stating that "This administration has, indeed, used every gimmick to build its case for the surtax", and inserting an article, "Two Top Economists Warn Tax Increase Could Harm Economy." pp. A6093-5
27. CENSUS. Rep. Vander Jagt inserted two articles critical of the invasion of privacy in the 1970 census. p. A6096

BILLS INTRODUCED

28. FISHERIES. H. R. 14358 by Rep. Chamberlain and H. R. 14360 by Rep. Ford, to amend the Anadromous Fish Conservation Act of October 30, 1965, relating to the conservation and enhancement of the Nation's anadromous fishing resources, to encourage certain joint research and development projects; to Merchant Marine and Fisheries Committee.
29. WATER POLLUTION. S. 2760 by Sen. Muskie and others, to amend the Federal-Water Pollution Control Act to authorize research and demonstration programs for the control of lake pollution and acid and other mine water drainage, and to prevent pollution by oil; to Public Works Committee. Remarks of author pp. S18293-4

General, saying that the Attorney General was aware of the situation, that a letter had been sent to the address of Mr. Carmichael, informing him that his U.S. passport had been revoked, and that the Attorney General's office awaited further developments.

Needless to say, I was greatly disappointed that no assurances were given that vigorous steps would be taken to prosecute any violation of the criminal law that may have occurred. It seems to me that revoking the passport of Mr. Stokely Carmichael is probably as feeble a wand as could be waved in his direction.

Why does a man want a U.S. passport when he is calling for the overthrow and the complete dissolution of the Government that issues such a passport?

I think this is a matter of real crisis and one to which we must address ourselves.

I do not think that I have ever been one that has been a shelter for the suppression of dissidence. I have always tried to defend the right of those who wish to express their grievances and who have differences of opinion. But it seems to me that when the statute books define acts as crimes and the facts seem to indicate that those crimes have been committed by an individual, we can no longer countenance the flouting of our law.

Mr. President, I ask unanimous consent that a copy of the letter that I addressed to the Attorney General on the 1st of December and the reply that I received from his office under date of the 8th of December 1967, be printed at this point in the RECORD.

There being no objection, the letters were ordered to be printed in the RECORD, as follows:

DECEMBER 1, 1967.

Hon. RAMSEY CLARK,
Attorney General of the United States,
Washington, D.C.

MY DEAR ATTORNEY GENERAL: According to the news media, Stokely Carmichael plans to return to the United States in the near future. He describes this as a "return to hell." If and when he does return to this country the American public will demand an accounting for his actions around the world. For example, I am distressed to read that while in Hanoi, Mr. Carmichael, volunteered to prosecute, as war criminals, American pilots who have been captured by the Viet Cong.

It seems to me that this and other utterances and the conduct of Mr. Carmichael would be the subject to an extensive investigation to ascertain if action under our criminal statutes is indicated. Statements attributable to Mr. Carmichael might warrant prosecution under Title 18, United States Code, Sec. 2381—Treason; Title 18, United States Code, Sec. 2383—Rebellion and Insurrection; and Title 18, United States Code, Sec. 2385—Advocating Overthrow of Government. There may be other provisions of law which he has violated.

I would appreciate your assurance that proper legal action will be taken promptly should Mr. Carmichael return to the United States.

Sincerely,

FRANK E. MOSS,
U.S. Senator.

Hon. FRANK E. MOSS,
U.S. Senate,
Washington, D.C.

DECEMBER 8, 1967.

DEAR SENATOR: I have your letter of December 1, 1967 to the Attorney General regarding Stokely Carmichael.

We are currently investigating Carmichael's activities, including his travel abroad, to ascertain whether he has acted in violation of any Federal statute within our jurisdiction, including those referred to in your letter. In the event sufficient evidence is developed to establish a violation of Federal law, appropriate action will be undertaken.

In addition, you may be interested to know that the Department of State has advised that a letter was sent to the United States address appearing in Carmichael's passport application informing him that his United States passport has been revoked.

The Attorney General appreciates having the benefit of your views.

Sincerely,

J. WALTER YEAGLEY,
Assistant Attorney General.

PEANUT ACREAGE ALLOTMENTS

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the Senate proceed to the consideration of Calendar No. 891, H.R. 11565.

The PRESIDING OFFICER. The bill will be stated by title.

The ASSISTANT LEGISLATIVE CLERK. A bill (H.R. 11565) to amend section 358 of the Agricultural Adjustment Act of 1938, as amended, to authorize the transfer of peanut acreage allotments.

The PRESIDING OFFICER. Is there objection to the request of the Senator from Montana?

There being no objection, the bill was considered, ordered to a third reading, read the third time, and passed.

Mr. MANSFIELD. Mr. President, I ask unanimous consent to have printed in the RECORD an excerpt from the report (No. 908), explaining the purposes of the bill.

There being no objection, the excerpt was ordered to be printed in the RECORD, as follows:

EXPLANATION OF THE BILL

This bill authorizes the Secretary of Agriculture during the 1968 and 1969 crop years to permit the sale, lease, or transfer of peanut acreage allotments, subject to the following conditions:

(1) Such transfer must not impair the peanut marketing quota or price support program;

(2) No transfer could be made to a farm in another county;

(3) Any transfer must be agreed to by holders of all liens on the transferring farm;

(4) No allotment could be sold from a farm which has purchased allotment during the three preceding years;

(5) Transfers must be recorded with, and determined lawful by, the county committee;

(6) The allotment must be adjusted if the normal yield to the farm to which it is transferred is more than 110 percent of that for the farm from which it is transferred;

(7) A farm which transfers its entire allotment shall not be eligible for a new farm allotment for 5 years;

(8) A lease may not exceed 5 years. Other transfers would be permanent;

(9) The Secretary may prescribe reasonable limits on resulting allotments;

(10) Not more than 50 acres shall be transferred by sale or lease to any farm;

(11) Rates of payment in any conservation reserve contract or similar agreement for the farm from which the allotment is transferred shall be subject to appropriate adjustment.

NEED FOR THE LEGISLATION

The legislation is necessary because at present first, there are many peanut acreage allotments too small to constitute an economic unit in view of rising costs of producing and harvesting peanuts. The Department of Agriculture reports that in 1964 (the last year for which complete calculations are available) more than one-fourth of all peanut allotments were 5 acres or less and more than one-half were 10 acres or less. This year the average size of established allotments is approximately 17.9 acres.

The fact that allotments were abandoned during World War II, in order to increase production, encouraged many new producers to enter into production of peanuts. When allotments were reestablished in 1949 the many newly established small and uneconomical allotments served to reduce the size of the allotments awarded the established producers

Second, much greater mechanization in the production of peanuts involves the use of very expensive equipment, herbicides, and improved methods of cultivation. This simply means that the cost per acre of producing peanuts is going up. Therefore, in many cases, farmers need to increase their peanut acreage allotment in order to realize a reasonable return on their tremendous investment. However, the committee intends that the authority provided by subsection (g) shall be exercised with a view to meeting the problem of small, uneconomical size peanut operations rather than to facilitate the formation of units larger than required to meet the needs of the family farm.

Peanut acreage allotments were first established in 1941 by authority of the Agricultural Adjustment Act of 1938, as amended. The size of the allotments was based on a producer's production during the previous 3-year history of production on the farm.

These allotments remained in effect only until 1942 when they were abandoned in order to permit the increase in production demanded by our war effort. Production virtually doubled during this period. The reestablishment of peanut acreage allotments in 1949 brought in many producers who had only begun growing peanuts during the time when allotments had not been in effect. The entrance into the program of these producers created many small and inefficient allotments.

If the Secretary of Agriculture determines that it will not impair the effective operation of the peanut marketing quota or price-support program, H.R. 11565 would permit (for the 1968 and 1969 crop years) the owner or operator of a farm which has a peanut acreage allotment to sell or lease all or any portion of his allotment to any other owner or operator of a farm in the same county. It would also permit the owner of a farm with a peanut acreage allotment to transfer all or any part of the allotment to any other farm owned or controlled by him in the same county.

The committee feels that the provisions of the bill will guard adequately against any speculation or overproduction which might otherwise result from this new authority.

The enactment of this bill will enable many producers to acquire ample peanut acreage to grow peanuts on a more sound

December 11, 1967

economic basis. It will also enable some producers to go out of peanut production in a manner in which both they and other producers who acquire the allotment will benefit.

In essence, this legislation will put peanut production in the hands of those who want to grow peanuts while at the same time it guards against any major geographical switch in peanut production which would undoubtedly be injurious to the economy of many countries.

Mr. MANSFIELD. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The bill clerk proceeded to call the roll.

Mr. BYRD of West Virginia. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

EXECUTIVE COMMUNICATIONS, ETC.

The PRESIDING OFFICER laid before the Senate the following letters, which were referred as indicated:

REPORT ON REAPPORTIONMENT OF AN APPROPRIATION

A letter from the Director, Bureau of the Budget, Executive Office of the President, reporting, pursuant to law, that the appropriation to the Department of Justice for "Support of United States Prisoners," for the fiscal year 1968, had been apportioned on a basis which indicates the necessity for a supplemental estimate of appropriation; to the Committee on Appropriations.

REPORT OF OFFICE OF CIVIL DEFENSE

A letter from the Acting Director of Civil Defense, Department of the Army, Office of Civil Defense, reporting, pursuant to law, the report on property acquisitions of emergency supplies and equipment, for the quarter ended September 30, 1967; to the Committee on Armed Services.

PROPOSED AIR NATIONAL GUARD CONSTRUCTION PROJECTS

A letter from the Deputy Assistant Secretary of Defense (Properties and Installations), transmitting, pursuant to law, information with respect to certain construction projects proposed to be undertaken for the Air National Guard; to the Committee on Armed Services.

PROPOSED RESTRICTION ON FOREIGN TRAVEL IN INTEREST OF U.S. FOREIGN POLICY

A letter from the Acting Secretary of State, transmitting a draft of proposed legislation to promote the foreign policy of the United States by authorizing the Secretary of State to restrict the travel of citizens and nationals of the United States where unrestricted travel would seriously impair the conduct of foreign affairs, etc. (with an accompanying paper); to the Committee on Foreign Relations.

REPORT OF DISPOSITION OF FOREIGN EXCESS PERSONAL PROPERTY

A letter from the Assistant Secretary of Defense, transmitting, pursuant to law, the annual report of the Department of Defense relative to its disposition of foreign excess personal property located in areas outside of the United States, Puerto Rico and the Virgin Islands, dated June 1967 (with an accompanying report); to the Committee on Government Operations.

PETITIONS AND MEMORIALS

Petitions, etc., were laid before the Senate, or presented, and referred as indicated:

By the PRESIDING OFFICER:
A resolution of the City Council of San Bruno, Calif., praying for the enactment of a tax-sharing program for local governments; to the Committee on Finance.

The petition of J. A. Robison, executive vice president Kahl Specialty Steel Co., Inc., of Greensboro, N.C., praying for the enactment of legislation to make public highways available for the exclusive use of bus and truck companies; to the Committee on Public Works.

REPORTS OF COMMITTEES

The following reports of committees were submitted:

By Mr. SPONG, from the Committee on the District of Columbia, without amendment:

H.R. 5709. An act to amend the District of Columbia Teachers' Leave Act of 1949 to remove certain limitations, and for other purposes (Rept. No. 913); and

H.R. 8715. An act to amend the District of Columbia Alcoholic Beverage Control Act to limit the amount of wines, spirits, and beer that may be brought into the District of Columbia (Rept. No. 914).

By Mr. SPONG, from the Committee on the District of Columbia, with amendments:

H.R. 12505. An act to provide that a District of Columbia public school teacher may retire on a full annuity at age 55 after 30 years of service or at age 60 after 20 years of service, and for other purposes (Rept. No. 915).

By Mr. LONG of Louisiana from the Committee on Finance, with amendments:

H.R. 1141. An act to permit duty-free treatment of limestone when imported to be used in the manufacture of cement, pursuant to the Trade Expansion Act of 1962 (Rept. No. 916); and

H.R. 6058. An act to amend the Internal Revenue Code of 1954 to provide for rounding the amount of State and local taxes for purposes of computing tax on cigars (Rept. No. 918).

By Mr. MUSKIE, from the Committee on Public Works, without amendment:

S. 2760. A bill to amend the Federal Water Pollution Control Act to authorize research and demonstration programs for the control of lake pollution and acid and other mine water drainage, and to prevent pollution of water by oil (Rept. No. 917).

By Mr. FULBRIGHT, from the Committee on Foreign Relations, without amendment:

S. Res. 155. A resolution to express the sense of the Senate concerning a means toward achieving a stable and durable peace in the Middle East (Rept. No. 920).

By Mr. FULBRIGHT, from the Committee on Foreign Relations, without amendment, reported adversely:

S. 2269. A bill to amend the act of August 27, 1954, relative to the unlawful seizure of fishing vessels of the United States by foreign countries (Rept. No. 919).

BILLS INTRODUCED

Bills were introduced, read the first time, and, by unanimous consent, the second time, and referred as follows:

By Mr. HART:

S. 2759. A bill conferring U.S. citizenship posthumously upon S. Sgt. Ivan Claus King; to the Committee on the Judiciary.

(See the remarks of Mr. HART when he introduced the above bill, which appear under a separate heading.)

By Mr. MUSKIE (for himself, Mr. BAKER, Mr. BAYH, Mr. BOGGS, Mr. BURDICK, Mr. CASE, Mr. CLARK, Mr. COOPER, Mr. FONG, Mr. GRUENING, Mr. HARTKE, Mr. INOUYE, Mr. JACKSON, Mr. JAVITS, Mr. JORDAN of Idaho, Mr. KENNEDY of Massachusetts, Mr. LONG of Missouri, Mr. MCCARTHY, Mr. MONDALE, Mr. MONTGOMERY, Mr. MURPHY, Mr. NELSON, Mr. PERCY, Mr. RANDOLPH, Mr. SPONE, Mr. TYNDINGS, Mr. WILLIAMS of New Jersey, and Mr. YOUNG of Ohio):

S. 2760. A bill to amend the Federal Water Pollution Control Act to authorize research and demonstration programs for the control of lake pollution and acid and other mine water drainage, and to prevent pollution by oil; to the Committee on Public Works.

(See the remarks of Mr. MUSKIE when he introduced the above bill, which appear under a separate heading.)

By Mr. BAKER:

S. 2761. A bill to permit black and white or color reproductions of U.S. and foreign postage stamps under certain circumstances, and for other purposes.

(See the remarks of Mr. BAKER when he introduced the above bill, which appear under a separate heading.)

CONFERRING OF U.S. CITIZENSHIP POSTHUMOUSLY UPON S. SGT. IVAN CLAUS KING

Mr. HART. Mr. President, today I introduce a special bill to confer U.S. citizenship posthumously upon S. Sgt. Ivan Claus King, a former Michigan resident who was killed a few weeks ago in Vietnam.

Although I realize it is rare to request posthumous citizenship, Sergeant King's case is a rare one.

Born in East Germany in 1941, he fled to Czechoslovakia, Italy, and finally Formosa. He served 2 years in the Nationalist Chinese Army.

Finally, he entered the United States in 1964, 3 years after he filed a petition for U.S. citizenship.

He lived with his mother, Mrs. Ruth Markov, at Michigan's Kincheloe Air Force Base until he volunteered for duty in Vietnam in 1965.

He was killed October 2, 1967, during an enemy mortar attack. Just 2 months before his death he was awarded the Bronze Star for heroism.

Sergeant King would have been eligible for citizenship next May.

Mr. President, the least we can do for so gallant a man is confer on him the citizenship of the country for which he gave his life.

The tragedy is that he was unable to realize his dream of being an American citizen during his lifetime.

At this point in my remarks, I ask unanimous consent to have printed in the RECORD the bill conferring U.S. citizenship upon Sgt. Ivan Claus King.

In my opinion, Sergeant King deserves U.S. citizenship. He certainly has earned it. I introduce for appropriate reference the bill thus described.

The PRESIDING OFFICER. The bill will be received and appropriately referred; and, without objection, the bill will be printed in the RECORD.

The bill (S. 2759) conferring U.S. citizenship posthumously upon S. Sgt. Ivan Claus King, introduced by Mr. HART, was received, read twice by its title, referred



Public Law 90-211
90th Congress, H. R. 11565
December 18, 1967

An Act

81 STAT. 658

To amend section 358 of the Agricultural Adjustment Act of 1938, as amended, to authorize the transfer of peanut acreage allotments.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Agricultural Adjustment Act of 1938, as amended, is amended by adding after section 358 the following new section:

"SEC. 358a. (a) Notwithstanding any other provision of law for the 1968 and 1969 crop years, the Secretary, if he determines that it will not impair the effective operation of the peanut marketing quota or price-support program, (1) may permit the owner and operator of any farm for which a peanut acreage allotment is established under this Act to sell or lease all or any part or the right to all or any part of such allotment to any other owner or operator of a farm in the same county for transfer to such farm; and (2) may permit the owner of a farm to transfer all or any part of such allotment to any other farm owned or controlled by him.

"(b) Transfers under this section shall be subject to the following conditions: (1) no allotment shall be transferred to a farm in another county; (2) no transfer of an allotment from a farm subject to a mortgage or other lien shall be permitted unless the transfer is agreed to by the lienholders; (3) no sale of a farm allotment from a farm shall be permitted if any sale of allotment to the same farm has been made within the three immediately preceding crop years; (4) no transfer of allotment shall be effective until a record thereof is filed with the county committee of the county in which such transfer is made and such committee determines that the transfer complies with the provisions of this section; and (5) if the normal yield established by the county committee for the farm to which the allotment is transferred does not exceed the normal yield established by the county committee for the farm from which the allotment is transferred by more than 10 per centum, the lease or sale and transfer shall be approved acre for acre, but if the normal yield for the farm to which the allotment is transferred exceeds the normal yield for the farm from which the allotment is transferred by more than 10 per centum, the county committee shall make a downward adjustment in the amount of the acreage allotment transferred by multiplying the normal yield established for the farm from which the allotment is transferred by the acreage being transferred and dividing the result by the normal yield established for the farm to which the allotment is transferred: *Provided*, That in the event an allotment is transferred to a farm which at the time of such transfer is not irrigated, but within five years subsequent to such transfer is placed under irrigation, the Secretary shall also make an annual downward adjustment in the allotment so transferred by multiplying the normal yield established for the farm from which the allotment is transferred by the acreage being transferred and dividing the result by the actual yield for the previous year, adjusted for abnormal weather conditions, on the farm to which the allotment is transferred: *Provided further*, That, notwithstanding any other provision of this Act, the adjustment made in any peanut allotment because of the transfer to a higher producing farm shall not reduce or increase the size of any future National or State allotment and an acreage equal to the total of all such adjustments shall not be allotted to any other farms.

"(c) The transfer of an allotment shall have the effect of transferring also the acreage history and marketing quota attributable to such allotment and if the transfer is made prior to the determination of the allotment for any year the transfer shall include the right

Agricultural
Adjustment Act
of 1938, amend-
ment.

55 Stat. 88.
7 USC 1358.

Peanut acreage
allotments,
transfer author-
ization.

of the owner or operator to have an allotment determined for the farm for such year: *Provided*, That in the case of a transfer by lease the amount of the allotment shall be considered, for the purpose of determining allotments after the expiration of the lease, to have been planted on the farm from which such allotment is transferred.

"(d) The land in the farm from which the entire peanut allotment has been transferred shall not be eligible for a new farm peanut allotment during the five years following the year in which such transfer is made.

"(e) Any lease may be made for such term of years not to exceed five as the parties thereto agree, and on such other terms and conditions except as otherwise provided in this section as the parties thereto agree.

"(f) The lease of any part of a peanut acreage allotment determined for a farm shall not affect the allotment for the farm from which such allotment is transferred or the farm to which it is transferred, except with respect to the crop year or years specified in the lease. The amount of the acreage allotment which is leased from a farm shall be considered for purposes of determining future allotments to have been planted to peanuts on the farm from which such allotment is leased and the production pursuant to the lease shall not be taken into account in establishing allotments for subsequent years for the farm to which such allotment is leased. The lessor shall be considered to have been engaged in the production of peanuts for purposes of eligibility to vote in the referendum.

"(g) The Secretary shall prescribe regulations for the administration of this section which may include reasonable limitation on the size of the resulting allotments on farms to which transfers are made and such other terms and conditions as he deems necessary, but the total peanut allotment transferred to any farm by sale or lease shall not exceed fifty acres.

"(h) If the sale or transfer occurs during a period in which the farm is covered by a conservation reserve contract, cropland conversion agreement, or other similar land utilization agreement the rates of payment provided for in the contract or agreement of the farm from which the transfer is made shall be subject to an appropriate adjustment, but no adjustment shall be made in the contract or agreement of the farm to which the transfer is made."

Approved December 18, 1967.

LEGISLATIVE HISTORY:

HOUSE REPORT No. 539 (Comm. on Agriculture).

SENATE REPORT No. 908 (Comm. on Agriculture & Forestry).

CONGRESSIONAL RECORD, Vol. 113 (1967):

Aug. 21: Considered in House.

Nov. 6: Considered and passed House.

Dec. 11: Considered and passed Senate.

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